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2 UNITED STATES DISTRICT COURT  
3 EASTERN DISTRICT OF NEW YORK

4 ROBERT BESEDIN, SR.,

Plaintiff,

5 - against -

CV No.:  
18-519

6 COUNTY OF NASSAU, NASSAU COUNTY  
7 POLICE DEPARTMENT, POLICE OFFICER  
8 STEPHEN BECKWITH and POLICE OFFICER  
9 JOHN MANTOVANI, in their individual  
and official capacities,

Defendants.

12 Zoom Video

13 June 3, 2022  
14 10:06 a.m.

15 DEPOSITION of DOMINICK

16 MANTOVANI s/h/a JOHN MANTOVANI, a  
17 defendant, in the above-titled  
18 action, at the above-mentioned  
19 place, before Nancy Dionisio, a  
20 Notary Public of the State of New  
21 York, taken pursuant to Federal  
22 Rules of Civil Procedure and  
23 pursuant to notice and order and  
24 stipulations between Counsel.  
25

A P P E A R A N C E S:

THE LAW OFFICES OF FREDERICK K. BREWINGTON

Attorneys for Plaintiff

556 Peninsula Boulevard

Hempstead, New York 11550

BY: FREDERICK K. BREWINGTON, ESQ.

COUNTY OF NASSAU

OFFICE OF THE COUNTY ATTORNEY

Attorney for COUNTY OF NASSAU

One West Street

Mineola, New York 11501

BY: KIERA MEEHAN, ESQ.

IT IS HEREBY STIPULATED AND  
AGREED by and between the attorneys  
for the respective parties herein,  
that the filing, sealing and  
certification of the within  
deposition be waived.

IT IS FURTHER STIPULATED AND  
AGREED that all objections, except  
as to the form of the question,  
shall be reserved to the time of  
the trial.

IT IS FURTHER STIPULATED AND  
AGREED that the within deposition  
may be sworn to and signed before  
any officer authorized to  
administer an oath with the same  
force and effect as if signed and  
sworn to before the Court.

- oOo -

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(Mantovani Exhibits 1 through  
19, Various Documents, premarked  
for identification.)

D O M I N I C K M A N T O V A N I , a  
Defendant herein, having been first  
duly sworn by a Notary Public of  
the State of New York, was examined  
and testified as follows:

\* \* \*

EXAMINATION BY

MR. BREWINGTON:

Q Please state your name for  
the record.

A Dominick Mantovani.

Q What is your address?

A 1490 Franklin Avenue,  
Mineola, New York 11501.

Q Officer Mantovani, my name is  
Fred Brewington, good morning.

A Good morning.

Q I'm the attorney representing  
Robert Besedin in his action which is  
pending in the Eastern District Court of

1  
2 New York which names yourself and other  
3 individuals and County of Nassau as  
4 Defendants. I'm going to be asking you  
5 questions today relating to this action  
6 about your knowledge, information about  
7 you and other things that are relevant to  
8 this case. If at any time you don't  
9 understand the question as I pose it, let  
10 me know that, I'll be happy to try and  
11 rephrase the question in a way that it is  
12 understandable if it doesn't seem to hit  
13 the mark right away. If you don't hear  
14 the question, let me know that and I'll  
15 be happy to restate the question or we'll  
16 ask Nancy who is taking down everything  
17 to restate it as it has been posed. But  
18 I'm going to ask you to make sure that  
19 you hear and understand the question  
20 before you respond, all right?

21 A Yes.

22 Q I'm also going to ask that if  
23 indeed there is something that happens  
24 with regard to us electronically, some  
25 type of glitch or we have a freeze or

1  
2 someone doesn't hear something clearly  
3 that we will try and let each other know  
4 as soon as possible so that we can then  
5 try to address that, we want to make sure  
6 that everybody that should be part of  
7 this deposition has a full and fair  
8 opportunity to participate fully and have  
9 all the information before them as we go  
10 forward, all right?

11 A All right.

12 Q As you have been doing in  
13 responding to the questions, I'm going to  
14 ask you to respond verbally to each of  
15 the questions, a head nod, a shrug, a  
16 gesture is more difficult to try and  
17 interpret and we don't want to place the  
18 court reporter in trying to interpret  
19 what your intention to respond to a  
20 question is. So if you could respond  
21 verbally to each of the questions that  
22 would be greatly appreciated, all right?

23 A All right. Perfect.

24 Q If you do need a break at any  
25 time to handle any particular needs,

1  
2 whether or not it's biological or legal,  
3 you need to speak to your attorney, you  
4 let me know that and we will be happy to  
5 try and take a break, the only request  
6 that I have is that if there is a  
7 question pending that we try and get a  
8 question and answer on the record and if  
9 that can't be done for some reason, the  
10 lawyers will work it out, all right?

11 A All right.

12 Q Thank you. Sir, are you  
13 currently employed?

14 A Yes, sir.

15 Q By whom are you employed?

16 A The Nassau County Police  
17 Department.

18 Q How long have you been  
19 employed by the Nassau County Police  
20 Department?

21 A Since October of 2015.

22 Q Is that when you entered the  
23 academy?

24 A Yes, in October of 2015.

25 Q How long did you spend in the

academy?

A Approximately six months with  
an additional month and a half to two  
months of field training.

Q Let's take the six-month  
period first. During your six-month  
period, did you take the prescribed  
course selections as were required by  
your other classmates?

A Yes.

Q During that six-month period,  
were there any courses that you had to  
repeat or retake as a result of not  
completing them the first time?

A No.

Q During your time period in  
the academy were you subject to any  
disciplines?

A No.

Q I'm sorry?

A No.

Q Sir, did you at any time  
during your time in the academy, take any  
time off or did you go straight through?



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A I went straight through.

Q Did you graduate with your  
class?

A Yes, I did.

Q Sir, where did you do your  
field training?

A In the First Precinct.

Q Did you have one or more than  
one field training officers?

A I had one field training  
officer.

Q Who was that?

A I believe his name is Robert  
Connick and he's since retired.

Q During your field training  
work, were you largely working during  
patrol?

A Yes.

Q At the conclusion of your  
field training, were you permanently  
assigned?

A Yes, I was assigned to the  
First Precinct.

Q Was that a patrol assignment?

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A Yes, it was.

Q What is your current  
assignment, please?

A I'm still on regular patrol.

Q What precinct?

A In the First Precinct.

Q Since your field training up  
until today, have you been working in the  
First Precinct?

A Yes.

Q Current rank?

A Police officer.

Q Have you taken any  
promotional examinations?

A Yes. I took the sergeants  
exam.

Q When did you take the  
sergeants exam?

A I don't remember the exact  
date, but it was right after I finished  
my probationary period.

Q After taking the sergeants  
exam were you on any eligible list?

A Yes, I'm still on the

eligible list.

Q Do you know where you fall on the eligible list?

A I do not offhand, no.

Q Do you know when that list expires?

A No, I do not.

Q Did you take the sergeants exam once or more than once or only once?

A Only once.

Q Prior to entering the academy in October of 2015, had you done any prior police work?

A Yes.

Q Where?

A I was in the NYPD.

Q When did you enter the NYPD?

A January 7th of 2015.

Q You did approximately nine months NYPD?

A Approximately.

Q Did that include the New York City Academy, New York City PD Academy?

A Yes.

1 12

2 Q So actually how much time did  
3 you spend on the street as a NYPD  
4 officer?

5 A From July until October.

6 Q So approximately three and a  
7 half months?

8 A Approximately.

9 Q Did you have a period of  
10 field training in the NYPD?

11 A Yes.

12 Q Where did you do your field  
13 training?

14 A I was assigned to the midtown  
15 north precinct.

16 Q Had you completed your field  
17 training when you left the NYPD?

18 A I had only completed the  
19 first segment of the midnight field  
20 training.

21 Q Would it be accurate to say  
22 at the time that you left the New York  
23 City Police Department you were still in  
24 the field training process?

25 A Yes.

1  
2 Q At the time that you left the  
3 NYPD, was that because you were  
4 interested in coming to the Nassau County  
5 Police Department?

6 A Yes.

7 Q Had you been on a list  
8 waiting to be called for the Nassau  
9 County Police Department?

10 A Yes.

11 Q Other than being on the  
12 Nassau County list, were you on any other  
13 lists to be called by any other police  
14 department while you were at the NYPD?

15 A I don't remember.

16 Q Have you taken any other  
17 examinations to be part of any other  
18 police department other than Nassau and  
19 NYPD?

20 A I had taken the Port  
21 Authority and Suffolk County.

22 Q Were you ever called by Port  
23 Authority?

24 A I was called but then they  
25 didn't get up to my number. I started

the process but then it stopped because I  
went into the city.

Q Because you went into NYPD?

A Yes, sir.

Q In the process you declined  
to go to NYPD?

MS. MEEHAN: Objection. He  
declined to go to the Port  
Authority, to go to NYPD.

Q You declined in order to go  
to NYPD, I left -- a word would be  
helpful, is that right?

A Yes.

Q With regard to Suffolk, were  
you ever on an eligible list for Suffolk?

A I was on an eligible list,  
yes.

Q Were you ever called by  
Suffolk?

A No.

Q Has that list that you were  
on for Suffolk expired, if you know?

A I don't know.

Q Do you expect to be called by

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Suffolk at some point?

A No.

Q Any other departments for  
which you've tested and sought to be a  
part of through the testing process?

A The FDNY.

Q When did you take the FDNY  
test?

A I don't remember.

Q Were you on a list for FDNY?

A I was.

Q Do you remain on a list or  
has that list expired as far as you know?

A It's expired.

Q Any other civil service  
examinations that you've taken other than  
fire department and PD?

A No.

Q Your current rank, please,  
sir?

A Police officer.

Q Sir, prior to going on to the  
New York City Police Department and then  
into Nassau County Police Department, had

you had any other police experience?

A No.

Q Had you done any work in the area of security, whether or not armed or unarmed?

A No.

Q Prior to going into the New York City Police Department, did you have a firearms license?

A No.

Q Prior to becoming a police officer, did you ever seek a firearms license?

A No.

Q Do you currently possess firearms as a result of your status as a police and/or peace officer?

A Yes.

Q Any military service, sir?

A No.

Q Sir, with regard to the Nassau County Police Department, did you take more than one test for that department?



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A No.

Q When you finished your field training at Nassau County Police Department, were you working any regular hours or were you rotating?

A I was working regular set hours with just, like, the days would rotate.

Q So you would go four on, three off, something like that?

A Yes. When I was first assigned I was working ten-hour tours, so I worked from 19:00 until 05, four days on, four days off.

Q At some point, did that change?

A Yes.

Q Did it change to your current work scheduled?

MS. MEEHAN: Objection to form.

A Could you just repeat that?

Q Sure. When it changed, did it change to the work schedule that

1  
2 you're currently working on?

3 A No. I was on -- so I changed  
4 from nights and I went to days and I'm  
5 back on nights currently.

6 Q How long were you on days?

7 A Approximately six months.

8 Q What was your tour, if it was  
9 a regular time period?

10 A From 07 in the morning until  
11 19:00 at night.

12 Q Was that a request to go to  
13 days at that time?

14 A No, it wasn't a request.  
15 They automatically switched everyone  
16 after six months.

17 Q Now you're back on nights?

18 A Yes.

19 Q Have you made any  
20 applications for other work hours other  
21 than 19:00 to 07:00?

22 MS. MEEHAN: Objection to  
23 form. You can answer.

24 A No.

25 Q Sir, is that assignment

1  
2 currently an assignment for patrol?

3 A Yes.

4 Q At any time during your work  
5 at the Nassau County Police Department,  
6 have you been part of any special units?

7 A I was assigned temporarily to  
8 Community Affairs and then I discontinued  
9 and came back to patrol.

10 Q When were you assigned to  
11 Community Affairs?

12 A April of 2019 until August of  
13 2019.

14 Q Was that an application that  
15 you made to go to Community Affairs?

16 A Yes.

17 Q That four-month period from  
18 April to August, did you make a  
19 determination that that assignment was  
20 not one that you wanted to continue in?

21 A Yes.

22 Q Why?

23 A I had a family -- a family  
24 situation I had to attend to that the  
25 current schedule was preventing me from.

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Q Was the Community Affairs  
assignment a uniform detail?

A It was a uniform detail, not  
like the one that I have on now, it was  
just like the soft uniform. So still  
gun, badge, but it was more like the polo  
shirts.

Q Have you been a part of any  
other special units within the Nassau  
County Police Department?

A No.

Q Have you applied for any  
other special units within the Nassau  
County Police Department?

A Yes.

Q Which ones?

A The Emergency Service Unit.

Q When did you apply for EMS?

A I just recently applied about  
two weeks ago on the 15th of May.

Q Is that request pending?

A Yes.

Q Have you heard anything from  
any of the bosses or commanders as to

whether or not it's likely you're going to get that?

A No, I have not.

Q Was that from a posting?

A Yes.

Q Sir, do you have EMS training at this point?

A I'm sorry, did you say EMS?

Q Yes.

A I think there might be a little confusion. So it's the Emergency Service, so it's like --

Q Okay, you said Emergency Service, I thought you said EMS.

A No, sorry about that. So the Emergency Service Unit.

Q So ESU?

A Yes, ESU.

Q Okay. Do you know how many spots were sought to be filled in ESU?

A I do not.

Q During your time in the Nassau County Police Department, have you been tasked with working any special

1  
2 assignments such as individuals,  
3 dignitary protection, special units on  
4 debates, presidential debates, anything  
5 like that?

6 A No.

7 Q Has all your work other than  
8 the stint that you did in Community  
9 Affairs been in regular uniform?

10 A Yes.

11 Q Sir, in your work in the  
12 Nassau County Police Department, have you  
13 worked any other precinct other than the  
14 first?

15 A No.

16 Q Sir, what area of the First  
17 Precinct are you patrolling, if there is  
18 a regular area, currently?

19 A I'm currently patrolling  
20 Merrick.

21 Q Are you riding a regular  
22 sector car?

23 A Yes.

24 Q What car do you normally  
25 ride?

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A 119.

Q Is that a single car?

A Yes.

Q What is your highest level of  
education, please?

A Bachelor's degree.

Q From what institution?

A Long Island University C.W.  
Post.

Q What years did you attend  
C.W. Post LIU?

A From 2011 until -- I'm sorry,  
2012 until 2014.

Q Prior to LIU, did you attend  
any other institution of higher learning?

A I got my associates degree  
from Suffolk Community College.

Q While attending Suffolk  
and/or LIU C.W. Post did you participate  
in any extracurricular activities?

A Yes.

Q What extracurricular  
activities?

A I was on the lacrosse team

for both.

Q Did you play mini or what?

A I was the face off.

MS. MEEHAN: Note my  
objection to the mini language, I  
don't understand that.

MR. BREWINGTON: That's  
alright. I apologize.

Q Sir, did you understand what  
I meant when I asked mini?

MS. MEEHAN: He understands.

A I understand, yes.

Q Did you ever play football?

A In high school.

Q Where did you go to high  
school?

A West Babylon.

Q That's right on Deer Park  
Avenue, right?

A No.

Q No, that's North Babylon,  
that's on Deer Park Avenue?

A Yes, just off of 231.

Q Sir, other than your college



work at Suffolk County Community College  
and C.W. Post LIU, any other college  
work?

A No.

Q Sir, during your time period  
in the New York City Police Department,  
were you the subject of any disciplines?

A No.

Q During your time period in  
the New York City Police Department, were  
you the subject of any civilian  
complaints?

A No.

Q During your time period in  
the Nassau County Police Department have  
you been the subject of any disciplines?

A No.

Q And in the time period that  
you've been at the Nassau County Police  
Department have you been the subject of  
any civilian complaints?

A No.

Q Sir, have you been a  
Defendant in any lawsuits as a police

officer, other than this one?

A Yes.

Q How many?

A One.

Q Was that as a Nassau County  
police officer?

A Yes.

Q What is the name of that  
lawsuit or the Plaintiff?

A I don't recall offhand.

Q When did you learn of that?

A Approximately two years ago.

Q Sometime in 2020, is that  
right?

A I'm sorry, say that again.

Q Approximately 2020?

A Yes.

Q What's the subject or the  
substance of the allegations in that  
lawsuit against you?

A I don't recall offhand, I  
just remember getting the -- like the  
indemnification, I didn't even know I was  
the subject of it until I received the

indemnification e-mail.

Q Do you know anything with  
regard to the alleged allegations of that  
complaint?

A I do not. I just remember it  
was -- we responded to a call and the man  
in question had a knife and we had to  
place him under arrest and there was a  
struggle and I don't know the exact  
details or allegations within that.

Q You were there for whatever  
the event was that's alleged, correct?

A Yes.

Q Where did that take place?

A That was in Roosevelt.

Q What's the name of the person  
that you were dealing with that you say  
had a knife?

MS. MEEHAN: Objection.

Asked and answered. He said he  
didn't know.

MR. BREWINGTON: That was the  
name of the person that brought the  
lawsuit.

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MS. MEEHAN: Okay, fair

enough.

A I do not remember his name.

Q Do you recall where in  
Roosevelt that took place?

A I believe it was Jefferson  
Street, I don't remember the exact  
address.

Q Were you working with any  
other members of the First Precinct in  
addressing that situation on Jefferson  
Street in Roosevelt?

A Yes.

Q Who?

A I was with my partner at the  
time Officer Piasecki.

Q Can you give us your best  
spelling of Piasecki for our court  
reporter nice and slow?

A P-I-A-S-E-C-K-I.

Q Thank you.

Sir, any other lawsuits that  
you've been the subject of?

A No.

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Q Sir, have you been deposed  
before today?

A No.

Q Have you testified in court  
at any time as a police officer prior to  
today?

A In grand jury.

Q Other than grand jury, have  
you testified in any other court  
proceedings?

A No.

Q Sir, have you been a  
Plaintiff in any lawsuits?

MS. MEEHAN: Objection. Over  
my objection you can answer.

Q Do you understand my  
question?

A No, I don't.

Q Have you sued anybody?

A Me, no.

Q Outside of your work as a  
police officer, have you been sued by  
anybody else?

A No.

1  
2 Q Sir, with regard to your work  
3 as a police officer, have you received  
4 any awards?

5 A Yes.

6 Q Like what?

7 A I was awarded Top Cop.

8 Q When was that?

9 A I don't recall the exact  
10 dates, but it was sometime in 2018.

11 Q Was that as a result of any  
12 particular action or activity or was that  
13 just as a general reference to your work?

14 A It was for apprehending a  
15 subject who was committing burglaries and  
16 we were able to find and catch him and  
17 place him under arrest.

18 Q What community were these  
19 burglaries taking place in, if they were  
20 limited to any particular community?

21 A That night it started in East  
22 Meadow and ended in Uniondale.

23 Q Were you working with any  
24 other police officer or officers in  
25 making that apprehension?

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A Yes, I was with my partner,  
Officer Cohen at the time.

Q Did he get Top Cop honors as  
well?

A I believe he did, yes.

Q Any other awards or  
recognitions from the department?

A No.

Q Sir, I see that you have your  
shield on, is that correct?

A Yes.

Q I'm going to ask you a  
question concerning the shield holder  
that you have over it, the band. Is that  
regulation?

A It is.

Q So the thin blue line that's  
on that holder is part of the recognized  
uniform of the Nassau County Police  
Department?

A Yes, there's stipulations  
when we can wear it, yes.

Q When can you wear it and when  
can't you wear it?

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A That -- I know normally  
you're allowed X amount of days after a  
police officer has passed in the line of  
duty.

Q Are you wearing it because a  
police officer has passed in the line of  
duty?

A I've had it on and I don't  
recall if someone has recently, I just --  
it's just been on.

Q When was the last time you  
took it off?

A Probably about two months  
ago.

Q Can you just tell me, sir,  
with regard to the rule or regulation  
that allows you to wear that for any  
period of time while working as a Nassau  
County police officer, where is that  
stipulated, just so I can look it up,  
please?

A I believe it's in the  
department manual.

Q The OPS manual?



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A I'm sorry?

Q Operating Procedures Manual?

A I would -- I guess so. It's  
either there or the actual department  
manual, I'm not --

MS. MEEHAN: Don't guess. If  
you don't know say you don't know.

Q Have you actually seen any  
rule or regulation that allows you to do  
that, to wear that?

A In one of the procedures,  
yes.

Q Do you know what procedure  
number that is, if there is one?

A I do not.

MR. BREWINGTON: At this time  
we're going to make a request  
pursuant to Rule 34 for any rule,  
regulation, procedure or policy  
that addresses the departmental  
allowances for wearing bands on  
badges by police officers that have  
a blue line on them.

MS. MEEHAN: Take it under

advisement, please follow-up in  
writing.

MR. BREWINGTON: Sure, will  
do.

Q Sir, this deposition that's  
taking place today, are you actually on  
the payroll today?

MS. MEEHAN: Over objection,  
you can answer.

A Yes.

Q Is this during your regular  
shift?

A No.

Q Are you receiving overtime as  
a result of this?

A Yes.

Q When did your overtime start?

A 9:00 A.M.

Q Sir, do you know the name  
Ernest Curry?

A That sounds familiar, yes.

Q Is that the individual that  
brought a lawsuit against yourself?

A I really don't remember.

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Q Do you know the name Joseph  
Philbin?

A Yes.

Q Who is that?

A That was someone that used to  
work in the First Precinct with me.

Q Was that someone that was  
also involved in that arrest that you  
talked about in Roosevelt?

A I don't recall.

Q Do you know the name Sean  
Conroy?

A Yes.

Q Who is that?

A Another former member that I  
used to work with in the First.

Q Was he involved in that  
arrest that you talked about in  
Roosevelt?

A Again, I don't recall.

Q I'm sorry?

A I don't recall.

Q How about Steven Spiegelfire  
(phonetic), do you know that name?

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A Spiegelfire, no.

Q Do you know someone by the  
name of Steven and I'm going to mess the  
last name, Spiegelfare (phonetic)?

A Spiegeliere.

Q Spiegeliere, do you know who  
that is?

A Yes, another former member  
that I used to work with.

Q Was he part of that arrest  
that you talked about in Roosevelt?

A I don't recall if he was, no.

Q Do you know the name Sean  
Ledwith?

A Yes.

Q How do you know that name?

A He was another member that I  
used to work with in the First.

Q Was he part of that arrest  
that you talked about in Roosevelt?

A Ledwith, yes and I believe  
his partner was Tatoma (phonetic), they  
were there that night.

Q During that night, that event

1  
2 that you talked about in Roosevelt, does  
3 the address 24 Jefferson Avenue in  
4 Roosevelt sound familiar?

5 A Yes.

6 Q At the time a Taser was  
7 deployed, correct?

8 A Yes.

9 Q Who deployed the Taser?

10 A Myself and my partner Officer  
11 Piasecki.

12 Q Do you recall the name of the  
13 person who was tased?

14 A I do not.

15 Q How many times was that  
16 person tased by you?

17 A Just once.

18 Q Was that person injured  
19 during your interaction with him?

20 A To my knowledge, no.

21 Q Sir, at the time that this  
22 event happened in Roosevelt on Jefferson  
23 Avenue, you went to someone's house and  
24 knocked on the door, correct?

25 A Correct.

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Q Then you went into the house  
when the person answered the door,  
correct?

A Correct.

Q At the time that you went  
into this person's house, it was  
nighttime, correct?

A Yes.

Q Did you have a warrant?

A Excuse me?

Q Did you have a warrant?

A To enter the home?

Q Yes.

A No, we were let in by the  
victim.

Q Just so that we are clear,  
when you say the victim, what was the  
name of the alleged victim that you just  
mentioned?

A I don't know.

Q Sir, the indication that you  
said before that this person I think you  
said had a knife, is that correct?

A Correct, yes.

1  
2 Q Was the knife recovered from  
3 him or was it recovered from someplace in  
4 the house?

5 MS. MEEHAN: Objection.

6 A The knife was recovered from  
7 the Defendant when we placed him under  
8 arrest, he was actively reaching for the  
9 knife that he held in his hand.

10 Q I just want to be clear. Did  
11 he actually have the knife in his hand or  
12 are you saying he was reaching for a  
13 knife?

14 A I'm sorry, so he had the  
15 knife in his hand and then when we were  
16 on the floor the knife was on the floor  
17 and he was still trying to actively reach  
18 and grab the knife.

19 Q Who is representing you in  
20 that case?

21 A I don't know. I haven't  
22 received any notifications or any -- any  
23 insight to if it's still pending or the  
24 only thing I received was the  
25 indemnification letter.

Q As a result of that lawsuit,  
have you been the subject of any Internal  
Affairs investigation?

A Aside from this one, no.

Q While you were in the City of  
New York working for their police  
department, were you the subject of any  
Internal Affairs investigations?

A No.

Q Sir, with regard to this  
case, were you working as a police  
officer on February 7th of 2017?

A Yes.

Q Do you recall what your  
normal hours of work were at that time,  
if they were normal?

A From 07 until 19:00.

Q On that day were you assigned  
to RMP 122?

A Yes.

Q 122 is a sector car, is that  
correct?

A Yes.

Q What does it normally patrol?



A 122 sector covers Baldwin Harbor.

Q Does Baldwin Harbor encompass Harrison Avenue in Baldwin?

A No.

Q The 122 sector is actually further south and east of Harrison Avenue, is that right?

A It's south.

Q South?

A Yes.

Q Sir, on February 7, 2017, were you operating RMP 122 as a single car?

A Yes.

Q Then at some point on that day, did you get a call to go to 2510 Harrison Avenue?

A Yes.

Q When did you first get such a call?

A I believe it was sometime in the early afternoon.

Q How did that call come to

you?

A It first came over as a  
burglary report.

Q From dispatch?

A Yes.

Q Were you initially responding  
or were you assisting in the response?

A I was assisting in the  
response.

Q Did someone else respond in  
addition to yourself?

A Yes.

Q Who was that?

A Officer Beckwith was  
responding and Sergeant Price and  
Lenarduzzi, they also responded.

Q To the initial call?

A To the initial call, yes.

Q Sergeant Price you mentioned  
and who was the other individual?

A Lenarduzzi.

Q Can you spell that last name  
for us, please?

A L-E-N-A-R-D-U-Z-Z-I.

Q Oh, that's all one word  
Lenarduzzi?

A Yes, it's all one word.

Q Okay, got it.

Sir, can you tell us, please,  
when yourself, Officer Beckwith, Sergeant  
Price and Lenarduzzi appeared at 2510,  
did you all go to the house that is  
located at that address?

A Yes.

Q Were you present during any  
conversation at that first call with any  
civilian at that address?

A Yes.

Q Who else of the officers was  
present during any conversation with the  
civilian at that address?

A Myself, Officer Beckwith and  
both Sergeant Price and Lenarduzzi.

Q At the time that you all were  
there, did you arrive in separate cars?

A Yes.

Q So that would have had at  
least four police vehicles at 2510

Harrison at that time, is that right?

A I believe Sergeant Price and Lenarduzzi were doubled, so they were in one vehicle.

Q Was Sergeant Price the patrol sergeant at that time?

A I believe he was, yes.

Q So there would have been at least three police cars at the scene?

A Yes.

Q Tell us what happened.

MS. MEEHAN: Objection to form. You can answer.

A So the first -- the first call Sergeant Price and Lenarduzzi were there prior to myself and Officer Beckwith getting there. And when we -- well, myself and Officer Beckwith when we started to approach, Sergeant Price and Lenarduzzi were a few feet ahead of us and they were already speaking with the homeowner at the time and we kind of were just hanging back, like, listening to the conversation. Sergeant Price was telling

1  
2 the gentleman that, you know, he was  
3 trying to help gather as much information  
4 as possible and that the first squad was  
5 already taking care of and investigating  
6 the report that he was referring to.

7                 Shortly after Sergeant Price  
8 kind of informed myself and Officer  
9 Beckwith of the situation, apparently  
10 sometime during the summer of the  
11 previous year, I guess, he had an auto  
12 mechanic shop and it was burglarized, a  
13 report was done and that the first squad  
14 was investigating it and he called us  
15 that day, I guess, to try to follow-up  
16 with it. And at that point Sergeant  
17 Price told us and we could see just from  
18 being there that he was irate, he wasn't  
19 cooperating with the supervisor when he  
20 was trying to get, you know, just basic  
21 information.

22                 And then after we left and  
23 before we resumed to go back on normal,  
24 you know, patrol he told us to -- he went  
25 over the air and told the CB operators to

disregard any further calls and that it was currently being handled by the first squad.

Q The "he" that you're referring to that went over the air, who was that?

A Sergeant Price.

Q About how long did that first response to a call take, as far as you can recall?

A Approximately 20 minutes.

Q Did you leave that location?

A Yes.

Q When you left that location, where did you go?

A I don't remember.

Q By the way, did you maintain a memo book during that time?

A I did, yes.

Q You provided that memo book to your attorney?

A Yes.

MR. BREWINGTON: Off the record.

(Discussion off the record.)

Q Officer Mantovani, do you maintain that memo book from February 7, 2017 to today?

A That exact memo book?

Q Yes.

A That memo book has since been closed out.

Q I know it's been closed out, but under your own rules and regulations you're required to maintain your memo books during your career, aren't you?

A Yes.

Q Do you still have that memo book?

A Yes, we still do memo books.

Q Do you still have that memo book from February 7th of 2017?

A Oh, yes, I'm sorry, I misunderstood you, yes, I still have that.

MR. BREWINGTON: Would you be kind enough to supply that to your attorney so that we could get a

1  
2 good copy of it at some point,  
3 please?

4 THE WITNESS: Yes.

5 MR. BREWINGTON: And our  
6 request is being made pursuant to  
7 Rule 34 for the best copy that  
8 Counsel can provide.

9 MS. MEEHAN: Take it under  
10 advisement, please follow-up in  
11 writing.

12 MR. BREWINGTON: Sure. I'll  
13 just note at the time that this  
14 transcript is provided there will a  
15 listing of requests that were made  
16 in the transcript and we will  
17 endeavor also to provide an  
18 additional writing, but at the time  
19 that the transcript is provided the  
20 writing request will be there as  
21 well.

22 MS. MEEHAN: Okay.

23 Q Sir, did you review any  
24 records prior to testifying here today?

25 A I'm sorry? Just can you



repeat that?

Q Did you review any records  
prior to testifying here today?

A Yes.

Q What did you review?

A I went over the case with my  
attorney and she went over --

MS. MEEHAN: He's not asking  
for any conversation that you had  
with me. He's just asking did you  
personally look at documents and  
read them.

THE WITNESS: Other than the  
ones that we went over, no.

MS. MEEHAN: He's asking what  
documents did you personally  
review, meaning you looked at them  
with your own eyeballs.

A Oh, then I didn't look at  
anything.

Q Did you have documents read  
to you, without telling me the content of  
what was read to you?

A I'm sorry, I'm like --

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Q Sure, I'll be more clear and  
I'll be more precise. Without telling me  
what was said and what was read, did  
somebody read information to you?

A Yes.

Q Then a discussion took place?

A Yes.

Q Just so the record is now  
clear, with regard to your preparation  
for this deposition, you, yourself, did  
not actually review, that being look at  
any documents, is that correct?

A Correct.

Q With regard to this incident  
that's the subject of this lawsuit, did  
you fill out any paperwork?

A Could you repeat that one  
more time?

Q With regard to this incident  
that's the subject of this lawsuit, did  
you fill out any paperwork?

A Yes.

Q What type of paperwork did  
you fill out?

1  
2 A I had filled out the incident  
3 statement from when I was injured and  
4 then when I went to Internal Affairs and  
5 I prepared a statement for them.

6 Q Any others that you're aware  
7 of?

8 A Not that I'm aware of.

9 Q Did you give any oral  
10 statements to anyone concerning the  
11 incidents which are the subject of this  
12 lawsuit?

13 A No.

14 Q Were you interviewed by  
15 anyone concerning the incidents which are  
16 the subject of this lawsuit?

17 A Aside from my attorney, no.

18 Q Were you ever interviewed by  
19 Internal Affairs?

20 A Yes.

21 Q Was that in person?

22 A Yes.

23 Q Was that recorded, if you  
24 know?

25 A Not that I know of.

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Q Were you present in an  
interview with internal affairs where you  
had representation?

A Yes.

Q Who represented you?

A The PBA.

Q There was a PBA rep with you?

A Yes.

Q Who was that?

A I believe it was Chris  
Acrolino (phonetic) and I don't know how  
to spell his last name.

Q Did you have an attorney  
present that was provided by the PBA?

A Not to my recollection.

Q Were you ever interviewed by  
anyone from the district attorney's  
office?

A Yes.

Q By whom?

A I don't recall their names.

Q When was that?

A Back in -- I really don't  
know. Sometime in 2018.

1  
2 Q How did you come to know that  
3 you were being asked to be interviewed by  
4 the DA's office?

5 MS. MEEHAN: Objection to  
6 form. You can answer.

7 A I received a court  
8 notification to go to court for this  
9 case.

10 Q When you appeared, anybody  
11 else appear there with you from the  
12 police department?

13 A Yes. Officer Beckwith.

14 Q Did you speak to one or more  
15 assistant district attorneys?

16 A I don't remember.

17 Q What was the subject matter  
18 of your discussion in the DA's office?

19 A They asked us to explain to  
20 them what happened with the incident.

21 Q How many people were there  
22 that you were speaking to?

23 A There was myself, Officer  
24 Beckwith and I believe there was one  
25 attorney.

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Q In that interview with yourself and Officer Beckwith, you gave your version of what had taken place, is that correct?

A Yes.

Q Any notes being taken by the DA at that time?

A I don't recall.

Q Was it a man or a woman that was interviewing you?

A I know at one point there was a man and I know there was a female as well, but I don't know if they were on the same date or if they were separate because we went multiple times to court.

Q How many times did you actually go to court and/or the DA's office concerning this case?

A At least two to three times.

Q Each time did you speak with assistant district attorneys?

A Yes.

Q Sir, do you know if any of those times that you went to speak with

1  
2 the district attorney's office were  
3 recorded?

4 A Not to my knowledge.

5 Q Were you asked to provide  
6 anything in writing to the district  
7 attorney's office for any of those two or  
8 three times that you appeared?

9 A No.

10 Q That was a no?

11 A Yes, that was a no.

12 Q Sir, while you were at the  
13 district attorney's office, did you  
14 review any video?

15 A Yes.

16 Q How many times?

17 A I don't recall the number of  
18 times.

19 Q Were you asked questions  
20 while watching or after watching the  
21 video?

22 A They asked us questions while  
23 we were watching the video.

24 Q Do you recall what type of  
25 questions were asked of you?

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A I do not.

Q Ever watch a video with  
anyone from Internal Affairs?

A No.

Q Ever asked any questions by  
Internal Affairs about the video?

A Not that I remember.

Q Sir, when you went to the  
district attorney's office during the two  
or three times that you did go, what did  
you understand was the reason for you  
going to the district attorney's office?

A The reason obviously that  
there was an arrest and that they were --  
this was going to court and they were  
trying to just ascertain our, you know,  
side of the story of what happened and  
kind of walk them through so that way  
they could do their preparation for  
whatever they needed to do in court.

Q You actually were called down  
in support of the prosecution?

A Yes.

Q Sir, during the time that you



1  
2 did go down to the district attorney's  
3 office, particularly the time that you  
4 went to the DA's office and you say  
5 Officer Beckwith was there, was he there  
6 each time that you went down?

7 A To the best of my knowledge,  
8 yes.

9 Q When you and he were  
10 interviewed, were you officers asked to  
11 put anything in any form of writing?

12 A No.

13 Q Outside of the district  
14 attorney's office, did you and Officer  
15 Beckwith talk about the events of  
16 February 7, 2017?

17 A No.

18 Q At no time?

19 A No. The only time was when,  
20 like, we saw each other in passing which  
21 was very infrequent, like right after the  
22 initial, I guess, when they played it on  
23 the news he's, like, hey, did you see the  
24 news? I said, yeah. And then that was  
25 about the extent because he worked days,

1  
2 I worked nights and we were opposite in  
3 schedules. So the days he was at work I  
4 was off and the only time I would see him  
5 is if he was either on overtime or he  
6 was, like, stuck on an arrest and I came  
7 in to the precinct.

8 Q Sir, with regard to him  
9 saying, did you see it on the news, what  
10 were you referring to?

11 A The videos and the news  
12 story.

13 Q Had you seen the videos  
14 before seeing them on the news?

15 A No, that was the first time.

16 Q Were you aware that there was  
17 video?

18 A Was I aware if there was  
19 video, no.

20 Q At the time that you saw it  
21 on the news, tell me what you recall  
22 seeing.

23 A I just recall they showed the  
24 video of myself and Officer Beckwith at  
25 the house and then they were -- I don't

1  
2 remember the exact news -- what they were  
3 saying, but then they just showed the  
4 video of us on his porch and then we, you  
5 know, ended up down the flight of stairs  
6 and onto the ground.

7 Q Do you know the name Robert  
8 Besedin?

9 A Yes.

10 Q That was the name of the  
11 homeowner at 2510, correct?

12 A Yes.

13 Q Prior to that day, had you  
14 known Mr. Besedin?

15 A No.

16 Q Prior to that date, had you  
17 had any interactions with him as far as  
18 you know in any way?

19 A No.

20 Q How many times did you  
21 actually end up going to his home on that  
22 day?

23 A About three times.

24 Q So after the first time that  
25 you went, what was your next contact with

Mr. Besedin or that address?

A I believe we responded back for a harassment, I believe it was a harassment call.

Q When you responded back, who was present from the police department?

A Myself and Officer Beckwith.

Q What did you do when you responded back the second time?

A We attempted to speak with Mr. Besedin, find out, you know, why he was calling. We were trying to gather as much information from him as possible. He wasn't cooperating with us, he was refusing to tell us why he was calling, he was irate, he was rambling on, he was telling us to come in the house, then he would say, no, stay out here. We were just trying to gather and help him and figure out why it was actually dispatched as a harassment which we found out later, I guess, he was making numerous calls to the 911 dispatchers.

Q You didn't know it at that

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time, though, correct?

A At that time, no.

Q You learned about it after his arrest, is that correct?

A After the arrest, no. We -- prior to, we found out that he was calling the 911 dispatch operators.

Q During the second call you didn't know that, you learned it between the second and third call?

A Yes.

Q The second call, how long did you remain at that address?

A I don't recall the exact amount of time. I would say about 20 minutes.

Q After the 20 minutes, what occurred?

A We got back in our cars, updated our memo books and we resumed regular patrol and drove away.

Q Sir, did there come a time when you went back to Mr. Besedin's house a third time?

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A Yes.

Q What led you to go back there?

A We were dispatched, a miscellaneous complaint and prior to going there the desk officer at the time informed us -- they dispatch us the call and prior to us arriving back there they made us call the command to speak to the desk officer. So that was -- they said, you know, prior to responding, call to speak to the desk officer. And that's when we called and the desk officer had informed us of -- he wanted us to go back there and tell Mr. Besedin, you know, he can't keep calling because at that point he was threatening the 911 operators, the dispatchers. He had called I don't know how many times, but he was irate and threatening the dispatchers.

So the desk officer wanted us to go there and inform him, you know, that we were there two times previously, we had a supervisor there on scene the

1  
2 first time telling him that the squad was  
3 investigating the initial complaint of  
4 the burglary report and that if he  
5 continues to call that the desk officer  
6 informed us and wanted us to tell  
7 Mr. Besedin that if he continued to call  
8 making these threats over the phone that  
9 he would be arrested for aggravated  
10 harassment.

11 Q So when you went back the  
12 third time you went with a message from  
13 the desk officer, is that correct?

14 A Yes.

15 Q Who was the desk officer?

16 A Lieutenant Pizzimenti,  
17 P-I-Z-Z-I-M-E-N-T-I.

18 Q You spoke to Lieutenant  
19 Pizzimenti by radio, by phone or some  
20 other way?

21 A By phone.

22 Q Was that on your personal  
23 cell phone?

24 A At that time I believe it  
25 was, yes.

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Q When you had that conversation on your personal cell phone, did you call someone or did someone call you?

A I called the precinct.

Q In your conversation with Lieutenant Pizzimenti, was that a number that you called at the precinct?

A Yes.

Q Was it at the precinct number or was it a cell phone that you called that you believe Lieutenant Pizzimenti had at the precinct?

A It was at extension 6130.

Q How long did your conversation with Lieutenant Pizzimenti last?

A Approximately five minutes.

Q Sir, at the time that you had this conversation with Lieutenant Pizzimenti, did you then go to the location of 2510 Harrison Avenue?

A Yes, after the conversation with the lieutenant that's when we



1  
2 responded back to that 2510.

3 Q When you got there, what did  
4 you do?

5 A We walked up to the door,  
6 attempted to speak with Mr. Besedin. At  
7 this point he was even more irate and was  
8 physically intoxicated, he was combative,  
9 he was talking to us through the glass  
10 storm door. When I tried to, you know,  
11 get him to come out he wouldn't come out.

12 Then he was telling me to  
13 come in. When I attempted to come in he  
14 would slam the door and he would say  
15 don't come in my house. He was cursing  
16 at me. After a couple of minutes I was  
17 able to reason with him and he allowed me  
18 inside the front, like, one step inside,  
19 like, his front door. So I just stepped  
20 into his home right at -- right past the  
21 storm door and I was talking with him.  
22 After a couple of minutes he wasn't  
23 making much sense, he was still irate, he  
24 began cursing saying how we are all  
25 incompetent and at that point I decided

1  
2 to leave and walk from the outside back  
3 onto the porch.

4 Q Then what happened?

5 A Then Mr. Besedin followed  
6 myself and Officer Beckwith out onto the  
7 porch.

8 Q At that time that he came  
9 onto the porch were you on the porch?

10 A I was walking down the  
11 stairs.

12 Q Did you get down to the  
13 bottom of the stairs?

14 A I was not at the bottom of  
15 the stairs, no.

16 Q Did you ever get to the  
17 bottom of the stairs?

18 A No.

19 Q Then what happened?

20 MS. MEEHAN: Objection to the  
21 form of the last question.

22 Q Then what happened?

23 A At that point we were still  
24 having a conversation with Mr. Besedin  
25 trying to, you know, explain to him we

1  
2 have been here numerous times, we are  
3 just trying to help him figure out what's  
4 going on, he's not cooperating with us.  
5 And at this point I remember Officer  
6 Beckwith was, you know, politely asking  
7 him, like, hey, you don't want us here,  
8 you want us to leave, so if you go in  
9 your house we'll leave. Because at this  
10 point he was being aggressive and we felt  
11 it wasn't safe for us to just turn our  
12 backs and just walk down the stairs just  
13 because of how aggressive he was being  
14 towards us and --

15 Q Okay and -- I'm sorry, let's  
16 take it step by step, I'll definitely let  
17 you finish.

18 Did you have a conversation  
19 with Officer Beckwith that you shouldn't  
20 leave because he was being aggressive,  
21 did you have that conversation with  
22 Officer Beckwith at that time?

23 A Verbally, no. But we kind  
24 of, like, looked at each other and it's,  
25 like, it's not safe for us to just walk

1  
2 and leave, granted because he was also  
3 intoxicated, his heightened state he was  
4 very aggressive towards us and if we just  
5 turned and left we felt it wouldn't have  
6 been the safest for us and/or him.

7 Q When you say not the safest  
8 for us, why not?

9 A Just because dealing with  
10 people who are either intoxicated or they  
11 are in a heightened emotional state,  
12 things, you know and situations people  
13 can become a little unpredictable so we  
14 were trying to mitigate that as much as  
15 possible and deescalate the situation  
16 before leaving.

17 Q Just so we are clear, you're  
18 saying he was intoxicated, right?

19 A Yes.

20 Q He was in his house or on his  
21 porch, correct?

22 A Yes.

23 Q He was not at that point  
24 committing any crimes, was he?

25 A At that point, no.

1  
2 Q He had told you to leave,  
3 correct?

4 A Yes.

5 Q You decided to stay, correct?

6 A Correct.

7 Q Just so that I'm clear, what  
8 danger did he pose to you when he told  
9 you to leave and you decided to stay?

10 MS. MEEHAN: Objection. It  
11 mischaracterizes his testimony.

12 Q What danger did he pose to  
13 you at the time when he was on the porch  
14 and you were heading down the steps or  
15 about to leave?

16 A So we were -- well, let me  
17 rephrase that. I didn't feel safe, like,  
18 just turning my back completely to  
19 someone and just walking away. I'm sure  
20 Officer Beckwith felt the same. Because  
21 he was aggressive, he was standing within  
22 one to two feet of us which was -- there  
23 was not a lot of room on the actual porch  
24 and he was talking very, like -- he was  
25 very animated with his hands when he was

1  
2 yelling at us. So we had just felt that  
3 if we were to just leave and turn our  
4 backs to him we didn't know what he could  
5 have done.

6 Q I just want to be clear. You  
7 keep say "we." You never had a  
8 conversation with Officer Beckwith about  
9 what he was thinking, did you?

10 A Again verbally, no.

11 Q At that time, you keep saying  
12 you didn't want to turn your backs but  
13 you actually were facing Mr. Besedin as  
14 you spoke to him, correct?

15 A Correct.

16 Q And you know what it is to  
17 walk backwards, don't you?

18 A Yes.

19 Q And you had the ability to  
20 walk backwards on that day, didn't you?

21 A I had the ability, yes.

22 Q So you chose not to walk  
23 backwards away from Mr. Besedin, is that  
24 correct?

25 A Correct.

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Q With regards to your conversation with Mr. Besedin, about how long were you outside of his home when he was on the porch, speaking with him?

A Had to have been only a couple of minutes that was -- like, as we were speaking to him it was only a couple of minutes before he then struck Officer Beckwith.

Q Okay, we're going to get there. Just so I understand, at the time, that couple of minutes, Mr. Besedin was on his porch, correct?

A I'm sorry, can you repeat that?

Q Those couple of minutes that you just referenced, Mr. Besedin was on his porch, correct?

A Correct.

Q And you were not fully on his porch, perhaps one or two or three steps down from him, correct?

A Correct.

Q So at that time, when he was

on his porch and you were below him one, two or three steps and we will get to that in a bit as well, did Mr. Besedin attempt to come down the steps at you?

A No.

Q At that time, sir, you had seen Mr. Besedin physically, hadn't you?

A Yes.

Q Describe what you observed with regard to his physical makeup.

A I remember he's -- he was wearing glasses, he was, I guess, a little stocky, he had, like, big shoulders, he was kind of, like, built. I didn't really at this point know how old he was, I was guessing in his late 50s or early 60s, had a little bit of a belly, but it looked like at some point he was -- at some point he probably did keep himself in good shape because he was, like, a little, you know, stocky.

Q When you say a little belly, tell us what you mean by that, sir.

A I don't really know how to



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describe it. Like, you know, like a  
stomach --

Q Sir, do you know what the  
term beer belly means?

A Yeah.

Q Did he have a beer belly?

A Yeah, that would be an  
accurate description of it, yes.

Q It was more than a little  
belly, right?

A Yeah. I don't know if beer  
belly is accurate.

MS. MEEHAN: Note my  
objection. It's not really a  
medical term, right?

Q Sir, with regard to beer  
belly, what do you understand the term  
beer belly to mean?

A That people who drink a lot  
of beer they get a belly from it,  
that's...

Q Sir, you said that there came  
a time when I think you said that  
Mr. Besedin, according to you, violently

1  
2 struck Officer Beckwith's hand, is that  
3 right?

4 A Yes.

5 Q Tell us how that occurred.  
6 What did you see and what transpired?

7 A So I was on the steps,  
8 Officer Beckwith was on the porch area,  
9 Mr. Besedin was in front of me and those  
10 two were facing each other and when  
11 Officer Beckwith was speaking to  
12 Mr. Besedin trying to explain that, you  
13 know, we were going to leave, you know,  
14 if he would go in the house we would  
15 leave. He made a motion with his arm  
16 pointing, like, in towards the house. At  
17 that point Mr. Besedin took his hand and  
18 struck Officer Beckwith, he smacked him  
19 in the arm.

20 Q Okay, just describe this  
21 smacking him in the arm, what did you  
22 actually see?

23 MS. MEEHAN: Objection. You  
24 can answer.

25 A I saw him strike or smack

Officer Beckwith in his arm.

Q Which part of his arm did he smack?

A I believe it was his forearm.

Q Describe the amount of force that was used in smacking Officer Beckwith's forearm?

MS. MEEHAN: Objection. If you can answer.

A Can you just repeat that one more time?

Q Describe the amount of force that was used in striking Officer Beckwith's forearm as you described?

A I mean, he hit him with enough force that his arm was in the air at about shoulder height, that after he smack it, his arm came down to, like, his thighs.

Q At the time that Officer Beckwith's forearm, as you said, was smacked, where was Officer Beckwith standing?

A He was standing just to,

1  
2 like, the left of the -- like he was kind  
3 of, like, splitting the door. Like, he  
4 wasn't completely -- let me rephrase  
5 that. He was, like, on the left side of  
6 the door -- like the door swang (sic)  
7 open, so he wasn't, like, in the middle  
8 of it, he was just, like, to the left of  
9 it a little bit.

10 Q Would he be south of the  
11 door?

12 A Yes.

13 Q Was he completely on the  
14 porch?

15 A Officer Beckwith, yes.

16 MS. MEEHAN: Can we just take  
17 two minutes before you move on so I  
18 can go get a phone charger?

19 MR. BREWINGTON: Sure, we  
20 will take five minutes.

21 MS. MEEHAN: Sure.

22 (A short recess was taken.)

23 CONTINUED EXAMINATION BY

24 MR. BREWINGTON:

25 Q Sir, at the time that you

1  
2 indicate that Mr. Besedin smacked the  
3 forearm of Officer Beckwith, what did you  
4 do?

5 A After I saw that I kind of  
6 was, like, initially, like, perked up. I  
7 was, like, kind of shocked and then at  
8 that point I heard Officer Beckwith tell  
9 Mr. Besedin to, you know, turn around,  
10 put his hands behind his back, so I knew  
11 that he was going to be under arrest at  
12 that time. And then I had attempted to  
13 assist Officer Beckwith with placing  
14 Mr. Besedin under arrest.

15 Q When you say attempted to  
16 assist Officer Beckwith, what did you  
17 actually do as you attempted to assist?

18 A I grabbed the -- I grabbed  
19 his arm, it would be his left arm and I  
20 was trying to take and put his arm behind  
21 his back.

22 Q How did you do that?

23 A How did I do... I'm sorry?

24 Q How did you attempt to place  
25 his left arm behind his back?

1  
2 A By taking one hand on his  
3 wrist and one hand on his -- the back of  
4 what would be his tricep and maneuver,  
5 you know, his arm kind of, like, push the  
6 hand behind his back, like putting -- I  
7 was trying to get his wrist behind his  
8 back (indicating).

9 Q Indicating raising the arm  
10 with a bend at the elbow to try and bring  
11 the hand toward the back?

12 A Correct.

13 Q Sir, what did you do after  
14 you attempted to do that?

15 A At that point once I  
16 attempted to do that Mr. Besedin was  
17 resisting and we were -- we ended up  
18 going and hitting into the exterior wall  
19 of the front of his house. And at that  
20 point he ended up pushing and then all of  
21 our momentum started to take and carry us  
22 back down towards the stairs.

23 Q It's your testimony that you  
24 actually went from where Mr. Besedin was  
25 standing toward his front door initially,

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is that correct?

A We were off to the right of  
his door.

Q But you went toward the house  
where the door was, is that what you're  
saying?

A Correct, yes, that  
exterior --

Q And then after that, came  
forward toward the edge of the porch?

A Correct.

Q Then what happened once you  
came forward toward the edge of the  
porch?

A At that point I rotated to  
avoid having Officer Beckwith and  
Mr. Besedin fall on top of me and go down  
the stairs.

Q What did you do with regard  
to the arm that you were grabbing?

A I ended up letting go of the  
arm and my whole body -- I guess, just as  
an attempt to grab on and not fall  
completely backwards I ended up grabbing

on and just rotating to Mr. Besedin.

Q When you say rotating to Mr. Besedin, I'm not quite sure I visualize it and I apologize for being dense, just tell me what you actually did with regard to Mr. Besedin's body?

A So as I was falling backwards I just rotated, I guess, my left hand came up and we rotated, as I was, like, trying to attempt to fall backwards I, like, grabbed on to him and we all just rotated and went back down towards the stairs (indicating).

Q Indicating turning to your right?

A Yes.

Q Sir, what did you have ahold of when you were, you say, turning to your right?

A At that point I didn't realize what -- everything happened so quick, I just rotated and just grabbed onto whatever I could.

Q And my question was what did



1  
2 you have ahold of as you were rotating to  
3 your right?

4 A I'm sorry, I held onto  
5 Mr. Besedin.

6 Q What part of Mr. Besedin?

7 A At that moment I wasn't sure  
8 and then after seeing the video I was,  
9 like, I grabbed him kind of by, like, the  
10 back of his head.

11 Q When you say the back of his  
12 head, you actually, like, palmed the back  
13 of his head (indicating), what did you  
14 actually do?

15 A I ended up grabbing, I guess  
16 right behind his ear where, like, my hand  
17 was on the back of his head.

18 Q Sir, below the ear, what's  
19 that part of the body called?

20 A Below the ear? The neck.

21 Q Sir, didn't you grab  
22 Mr. Besedin by his neck, sir?

23 A No.

24 Q Never happened?

25 A No.

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Q Is that what you're saying?

A I did not grab Mr. Besedin by  
his neck, no.

Q Your hand never was on his  
neck, is that what you're saying?

A It was not.

Q Sir, you watched the video,  
didn't you?

A I did.

Q How many times?

A I don't know the exact  
amount.

Q Approximately how many times?

A 20 times.

Q You actually have a copy of  
the video for your own personal review,  
don't you?

A I personally don't have one.

Q Sir, you have a copy of a  
video that's been supplied to you so that  
you could review it at your leisure,  
haven't you?

MS. MEEHAN: Objection.

A No.

1  
2 Q Sir, the 20 times that you've  
3 reviewed it has been in what office, if  
4 any?

5 A Only with my attorney and  
6 when I was preparing with the defense --  
7 the district attorneys.

8 Q Sir, I think you said you  
9 never watched the video with internal  
10 affairs so they have never questioned you  
11 about the content of the video, have  
12 they?

13 A Not to my recollection.

14 Q Sir, after I think you said  
15 you grabbed Mr. Besedin, I think you said  
16 toward the back of his head, is that  
17 right?

18 A Yes.

19 Q After you say you did that,  
20 what's the next thing that happened?

21 A After that as we rotated I  
22 ended up missing one of the steps on the  
23 stairs and injuring my ankle, so the  
24 first thing that I remember feeling was  
25 there was pain in my left ankle and then

Officer Beckwith and Mr. Besedin ended up going down, falling down the flight of stairs as I ended up -- I managed to catch myself.

Q Sir, didn't you throw Mr. Besedin down the stairs?

A Not intentionally.

Q Well, let's just deal with the intentional and non-intentional first. Didn't you actually throw, propel, Mr. Besedin down the steps, yes or no?

A I would say yes.

Q Let's just go to some documents I want to look at.

MR. BREWINGTON: Are you okay Counsel, you look puzzled.

MS. MEEHAN: I think your question was compound.

MR. BREWINGTON: I think it wasn't.

MS. MEEHAN: I think it was because you said didn't you throw him and you also said didn't you

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propel him.

MR. BREWINGTON: I have my  
answer.

MS. MEEHAN: So I'm going to  
note my objection.

MR. BREWINGTON: Objection  
noted.

Q Sir, with regard to  
documents, I want to take a look at some  
documents. What I'm going to do is I'm  
going to put documents on the screen and  
you should see on the screen now  
something that says Mantovani 1 for  
identification with today's date.

MR. BREWINGTON: (Screen  
sharing.)

Q Do you have that in front of  
you?

A Yes.

Q Just so that I'm clear, did I  
spell your last name right?

A No, you did not.

Q All right, I'm sorry, it's an  
A, right, not an O?

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A Yes. The A and the O are  
mixed up.

Q So it should be M-A-N-T-O-V-O-N-I,  
is that right?

A It's the O needs to be turned  
to an A.

Q This one right here (indicating)?

A Yes, that one.

Q I just put a little box on  
the first O, that should be an A,  
correct?

A Yes.

Q No disrespect intended, I  
apologize, sir.

A It's okay.

Q Just so you know it's going  
to happen over and over again so we will  
note that my apology is on the record.

Sir, as I scroll up or down  
if there is a need for you to look at  
something more carefully or ask me to  
look at another portion of the document  
just let me know that and consistent with  
whatever the questions are I'll be happy

1  
2 to oblige, all right?

3 A Okay.

4 Q If we need to increase for  
5 any reason, for instance like this  
6 (indicating) and move the document  
7 around, I'll be able to do that for you,  
8 I don't want to make you crazy. And we  
9 also can make it smaller (indicating) so  
10 we can see larger parts of the document,  
11 all right?

12 A All right.

13 Q Let's take a look at  
14 Mantovani 1 for identification and start  
15 with this looks like a Bates stamp  
16 number, it might be from the County or  
17 from the DA's office, hard to tell, but  
18 it looks like it's 000 -- and I'll forgo  
19 those in the future -- 40 and 41.

20 Let me just scroll back to  
21 the top and ask my initial question, this  
22 document which says Internal  
23 Correspondence dated May 15, 2018, do you  
24 recognize what it is?

25 Do you want me to make it

larger?

A No, that's fine. That's the statement I wrote when I was in Internal Affairs.

Q This statement, by the way it starts out with a To From and it's to Commanding Officer of IAU, Internal Affairs Unit from you, is that correct?

A Correct.

Q Is that your serial number and your shield number?

A Yes.

Q The subject is IAU 20-2017. You understood that that was an Internal Affairs investigation where you were one of the subjects, correct?

A Correct.

Q First paragraph says, "I am making this statement for administrative purposes only. I have not done so voluntarily but in compliance with an order of a superior officer. This statement in no way constitutes any waiver of my rights and this statement or



any part thereof may not be used against me in any criminal proceeding." Sir, that information was provided to you by someone from the department or the union, correct?

A Correct.

Q Do you know that to be accurate that no part of this statement can be used against you in any criminal proceeding?

A Can you repeat that again?  
I'm sorry.

Q Sure. Do you know that to be accurate that no part of this statement can be used against you in any criminal proceeding?

A I don't -- I'm not entirely sure.

Q Sir, this document we are just going to go down to the bottom of it for a quick second.

MR. BREWINGTON: (Scrolling.)

Q At the bottom of the page there appear to be initials, do you know

whose initials those are?

A I do not know whose are on  
the left, but mine are on the right.

Q Just so we are clear, where  
it says D.M., those are your initials?

A Yes.

Q Then going to the second page  
which is Bates stamp Number 41 after  
Paragraph 13 there appears to be a  
signature, is that your signature?

A Yes.

Q And then that would be the  
end of the document there appears to be  
some signature by a sergeant, do you know  
whose signature that is?

A I don't.

MR. BREWINGTON: Let's go  
back to the top of the document.

(Scrolling.)

Q This indicates that on  
February 7, 2017 you worked at 07:00 to  
19:00 in RMP 122, is that accurate?

A You kind of broke up the last  
part.

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Q Sure. Is that accurate?

MS. MEEHAN: 07:00 to 19:00,  
is that accurate?

A I'm sorry, yes, the Internet  
cutout.

Q Okay, I'm sorry. Then it  
goes on to say in the fourth paragraph  
that you were first called to 2510  
Harrison at or about 13:40 hours, is that  
right?

A Yes.

Q That would be 1:40 in the  
afternoon?

A Correct.

Q This was about his shop  
having been burglarized and then there is  
a reference that you write that, "And the  
first squad are a bunch of incompetent  
morons," that Mr. Besedin had that  
opinion, is that right?

A Yes.

Q Let's go down to the seventh  
paragraph which is the major paragraph on  
this page, do you see that in front of

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you, sir?

A Yes.

Q Prior to today in preparation for the deposition, did you actually read this page?

A The only time I read this was when I submitted it, right before I submitted it and I haven't seen it since.

Q So let's give you a chance to read this paragraph if that's all right with you and let me know when you're done reading this paragraph, all right?

A Okay. (Reading.)  
Okay, I finished.

Q Sir, did you write this document, including this paragraph, in consultation with anyone?

A Yes.

Q With whom?

A With the delegate that was there with me at the time.

Q That being from the union?

A Yes.

Q Was this done at Internal

Affairs or someplace else?

A This was done in Internal Affairs.

Q On their little computer system they have in one of the small rooms, correct?

A Correct.

Q It was then identified in the Internal Affairs Unit system as a document and I'll just show you down here, do you see that?

A Okay, yes.

Q Did you name it that or did someone else name it that and then give you the blank screen?

A I did not see that. I just had it as a blank screen.

Q Did you actually do the typing or did the representative from the union do the typing?

A I did the typing.

Q Let's look at this. In the third line there is a reference to, "He allowed me," I assume Mr. Besedin, "to

1  
2 step inside the front storm door." So  
3 you actually stepped into the, at least  
4 the doorway of the home, is that correct?

5 A Correct.

6 Q Then it goes on to say that,  
7 "He would not allow Police Officer  
8 Beckwith inside." Is that accurate?

9 A Yes.

10 Q Do you recall what his  
11 problem was with Officer Beckwith?

12 A For some reason he did not  
13 like him. He was continually, like,  
14 insulting him, making fun of his age, I  
15 guess because he looked young and he just  
16 did not want anything to do with Officer  
17 Beckwith.

18 Q Then it says, "I realized I  
19 was not getting anywhere with him and I  
20 exited the house and I walked down a  
21 couple of steps." You were not on the  
22 porch when you exited the house, you  
23 actually walked down a couple of steps  
24 initially, correct?

25 A Correct.

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Q How many total steps were  
there to the ground?

A I don't recall offhand.

Q Then it goes on to say,  
"Before I made it to the ground level  
Mr. Besedin began exiting the house.  
P.O. Beckwith told Mr. Besedin to go back  
inside as P.O. Beckwith gestured toward  
the house with his hand." Let me just  
stop there. You said before I made it to  
the ground Mr. Besedin began exiting, did  
you actually make it to the ground?

A No.

Q But you weren't on the porch,  
were you --

A No.

Q -- is that correct?

A That's correct.

Q At some point you had gotten  
stationary and were fixed not on the  
porch, correct?

A Correct.

Q Then it says, "Mr. Besedin  
violently struck P.O. Beckwith's hand."

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Do you see where you have hand there?

A Yes.

Q So it wasn't his forearm, it was his hand, is that right?

A The hand, forearm area, it could have been -- it could have been the hand, it could have been the forearm, the space in between, I don't recall exactly which.

Q You wrote hand back then. Is your memory more clear today or is it different today?

A I don't recall exactly -- today it's -- I don't recall.

Q Then it says, "I immediately went back up the stairs." So you had to actually go upstairs to get to Mr. Besedin, correct?

A Correct.

Q "I tried to grasp Mr. Besedin's left hand to prevent him from swinging at us." So Mr. Besedin was swinging at you?

A At that moment, no.



1  
2 Q Then it says, "Police Officer  
3 Beckwith tried to grasp Mr. Besedin's  
4 right hand. The three of us went towards  
5 the house. The three of us hit into the  
6 house and bounced off of the house as our  
7 momentum now took us towards the stairs."  
8 Is that what happened?

9 A Yes.

10 Q So there actually was a  
11 bounce off the house?

12 A That's what it -- in that  
13 moment that's what it seemed like, we  
14 went into the house and we were being  
15 propelled towards the stairs, whether he  
16 bounced off, whether he pushed off, I  
17 can't say exactly. I just remember going  
18 into the front of the house and then my  
19 momentum was taking me backwards towards  
20 the stairs.

21 Q Let's just deal with the  
22 going to the house and bouncing off the  
23 house. What was the force that caused  
24 all of you to bounce off the house?

25 A I'm not entirely sure. I

1  
2 don't know, I can't definitively say at  
3 this time if it was him pushing us, if it  
4 was maybe he might have kicked off the  
5 wall with his foot, I really don't  
6 recall. I just remember hitting into the  
7 front of the house and next thing I knew  
8 I was going backwards.

9 Q Perhaps my question wasn't  
10 clear. The momentum that led you to go  
11 toward the house, what caused that  
12 momentum?

13 A That was a combination of  
14 myself and Officer Beckwith trying to get  
15 Mr. Besedin under control and put his  
16 hand behind his back and him backing up  
17 in -- backing away from us.

18 Q It says, "The three of us  
19 rotated down the stairs. I remained on  
20 my feet while both Police Officer  
21 Beckwith and Mr. Besedin ended up on the  
22 ground." Is that accurate?

23 A Yes.

24 Q Then it says, "After a  
25 struggle we managed to control his hands

1  
2 and handcuff him." Sir, you're saying  
3 Mr. Besedin struggled with you?

4 A Yes, he was cursing at us, he  
5 was telling us to, you know, stop, we  
6 were trying to -- we were giving him  
7 verbal commands to take his hands out  
8 from underneath him and put his hands  
9 behind his back, he was refusing to do  
10 so, he was, like, laying on top of his  
11 hands so we had to try to get him to, you  
12 know, cooperate with us.

13 Q Sir, him laying on his hands,  
14 that's not in this statement, is it?

15 A I'm sorry?

16 Q Him allegedly laying on his  
17 hands, that's not written in this  
18 statement anywhere, is it?

19 A No.

20 Q Then it says, "We sat him on  
21 the steps. He was yelling and cursing.  
22 He stood up and came towards us ignoring  
23 our verbal commands to stay seated. We  
24 sat him back down." Who was it that  
25 actually sat him back down? Was it both

100

1  
2 of you?

3 A I did. I was the one that  
4 sat him back down.

5 MR. BREWINGTON: Just so you  
6 know, my screen is frozen so I  
7 don't know if you can hear me?

8 MS. MEEHAN: We can hear you,  
9 I don't know if you can hear us?

10 MR. BREWINGTON: I can. I  
11 can. So luckily we will see what  
12 happens.

13 Q Sir, it says --

14 MR. BREWINGTON: Oh, now I'm  
15 back.

16 Q It says, "He slowly starting  
17 rolling on the ground and he refused to  
18 get up." That was after you sat him  
19 down, correct?

20 A Correct.

21 Q Do you know why he was  
22 rolling, sir?

23 A I do not.

24 Q Sir, isn't it true that when  
25 you say you sat him back down, you

1  
2 actually slammed him down on his back  
3 against the stairs, didn't you?

4 A No.

5 Q You're sure of that?

6 A Yes.

7 Q How much force was used to  
8 sit him or as you say, "we sat him back  
9 down," describe the force, sir?

10 A I don't -- I did not use any  
11 force. I simply walked him towards the  
12 stairs and the back of the stairs I  
13 guess, were in line with his knees and  
14 that's when I assisted him in sitting  
15 down.

16 Q I know you used the word  
17 assisting him, tell me how it was you  
18 assisted him?

19 A So I put my hands on his  
20 shoulders and I sat him -- like I guided  
21 him down so he didn't fall to either  
22 direction, I just sat him upright  
23 (indicating).

24 Q Sir, you had your hands on  
25 the side it looks like, I couldn't see

102

1  
2 the other hand, are you saying you sat  
3 him with your hands on each of the balls  
4 of his shoulder down to guide him down,  
5 is that what you're saying?

6 A I don't recall, like, the  
7 exact hand placement.

8 Q Sir, isn't it true that you  
9 actually put your hands on top of his  
10 shoulders and pushed him down with your  
11 palms going down toward the ground?

12 A I don't recall the exact  
13 placement of my hands.

14 MR. BREWINGTON: Let's go to  
15 the second page. (Scrolling.)

16 Q "We walked Mr. Besedin to the  
17 RMP." I'm on Paragraph 8 on Bates stamp  
18 Number 41 page. "He went limp and  
19 refused to walk. We virtually carried  
20 him to the RMP." Sir, do you know if  
21 Mr. Besedin was rendered unconscious  
22 based on what occurred with regard to  
23 him?

24 A No. At no point did he lose  
25 consciousness.

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Q Sir, have you seen any hospital reports concerning Mr. Besedin in this incident?

A I did not see any reports concerning him.

Q Were you aware that there is indication that he was unconscious at some point?

A At no point was he unconscious.

Q You're sure of that?

A Yes.

Q Then it says, "We virtually carried him to the RMP. When we go to the RMP Mr. Besedin kicked P.O. Beckwith in the leg." How did he do that? That being Mr. Besedin, how did he kick Officer Beckwith in the leg?

A As we were attempting to sit him in the passenger side back seat of the RMP he was refusing to get in and then eventually he, like, laid -- he, like, rolled onto his side so, like, his upper body was in the car and his legs

104

1  
2 were, like, still out and while Officer  
3 Beckwith was trying to, like, help get  
4 his legs in that's when Mr. Besedin  
5 kicked Officer Beckwith.

6 Q With his back in the car  
7 you're saying Mr. Besedin kicked Officer  
8 Beckwith at that time?

9 A I'm sorry, can you just  
10 repeat that first part?

11 Q With his back in the car,  
12 that being Mr. Besedin, is that when you  
13 say he kicked Officer Beckwith in the  
14 leg?

15 A Yes. Yes, he was more on his  
16 side versus like -- he was, like, leaning  
17 on, like, it would be his left side when  
18 he kicked Officer Beckwith.

19 Q What part of the leg did he  
20 kick Officer Beckwith in?

21 A That I'm not entirely sure.

22 Q Did you actually see it?

23 A I did see it, but I was  
24 around the car -- I was attempting to get  
25 Mr. Besedin in from the opposite side.



1  
2 Q Sir, just so we are clear,  
3 the rear doors of the RMP were open and  
4 Mr. Besedin was attempting to be put in  
5 from the passenger side of the door,  
6 correct?

7 A Yes, from the rear passenger  
8 side.

9 Q And you went around the car  
10 to the driver's side rear passenger door,  
11 is that correct?

12 A Yes.

13 Q Is it your testimony that you  
14 saw Mr. Besedin kick Officer Beckwith,  
15 that you saw Mr. Besedin kick Officer  
16 Beckwith through the rear of the car?

17 A Yes, I was in the back seat  
18 of the car when Mr. Besedin kicked  
19 Officer Beckwith.

20 Q Officer Beckwith get any  
21 treatment for that?

22 A Not to my knowledge, I'm not  
23 entirely sure.

24 Q Sir, do you know Officer  
25 LaSala?

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A Yes, I know Officer LaSala.

Q He worked on your shift back  
in 2017?

A I'm not sure if he worked the  
day shift or if he was on nights, I'm not  
entirely sure.

Q Did you ever have a  
conversation with him about what happened  
with Mr. Besedin?

A No, I did not.

Q Were you aware that  
Mr. Besedin received tickets from Officer  
LaSala on the vehicle, his own truck  
parked in front of his own house?

A I was not aware of that.

Q When did you become aware  
that that had occurred, if at all?

A Once I was with the district  
attorneys, they had asked me that.

Q Ever speak to Officer LaSala  
about any tickets he issued to  
Mr. Besedin?

A No, I did not.

MR. BREWINGTON: Let's go to

107

Mantovani 2 for identification.

(Scrolling.)

Q I just ask you, do you recognize what is in this photograph that's on the screen and it's Bates stamp Number 205, do you recognize who that is?

A Yes, that's a picture of myself.

Q Is that a photograph that was taken as part of your records here in the Nassau County Police Department?

A Yes, I believe that's from my police ID.

MR. BREWINGTON: Then let's take a look at Bates stamp page Number 204. (Scrolling.)

Q Do you recognize who that is in the picture there?

A Yes.

Q Who is that?

A That's Officer Beckwith.

Q Is that the officer that is identified in your To From to Internal Affairs?

108

1  
2 A Can you just repeat that  
3 again? I'm sorry.

4 Q That's the same officer that  
5 was with you on February 2017 that you  
6 identified in your To From to Internal  
7 Affairs?

8 A Yes.

9 Q Did you guys come in at the  
10 same time into the department?

11 Sir, did you hear my  
12 question?

13 MS. MEEHAN: No, you broke  
14 up.

15 Q Did you and Officer Beckwith  
16 come in the same time into the police  
17 department?

18 A No.

19 Q You were ahead of him or was  
20 he ahead of you?

21 A I was ahead of him.

22 Q So at the time that you were  
23 at Mr. Besedin's house on February 7th of  
24 2017 you were the more senior officer?

25 A Yes.

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Q By how long?

A Including my time in the NYPD  
I would say about a year and a half.

Q Sir, this last photograph  
which is Bates stamp 206.

MR. BREWINGTON: (Scrolling.)

Q Is that Officer LaSala?

A Yes.

Q Is he still in the First  
Precinct?

A Yes, he is.

Q Is he working your same tour?

A Yes, we work the same working  
hours, just different squads so our days  
are different.

Q What squad are you in?

A I'm in Squad 22.

Q Does that have a color?

A No.

MR. BREWINGTON: Let's look  
at Mantovani 3 for identification.  
(Scrolling.)

Q This is a record from South  
Nassau Communities Hospital Bates stamp

110

Number 88 references you and at the time that this happened you were 24 years of age, is that correct?

A Correct.

Q How old are you now, please, sir?

A 30.

Q This references that you as the patient, that you were stable, disposition home, left ankle pain, S/P fall. Just going down to exam, it says X-ray ankle complete. Did you have an X-ray of your ankle?

A I believe I did.

Q Do you know what the diagnosis was of your ankle?

A Yes. When I was discharged they told me it was a sprained ankle.

Q Playing lacrosse you've sprained your ankle before, haven't you?

A Not to this extent.

Q That wasn't my first question, I'll get to the extent. You've sprained your ankle before as a lacrosse

111

1  
2 player or an athlete, correct?

3 A Correct.

4 Q Sir, with regard to this  
5 extent, were you given any crutches?

6 A I was given a brace.

7 Q That wasn't my question.  
8 Were you given any crutches?

9 A No.

10 Q With regard to this injury  
11 that you indicated you had to your ankle,  
12 how many days did you take off?

13 A I don't recall the exact  
14 amount of days.

15 Q Did you take days off?

16 A I did.

17 Q Did you make a claim of  
18 Workers Compensation?

19 A I did.

20 Q How many days of Workers  
21 Comp. did you get as a result of this  
22 incident?

23 MS. MEEHAN: I'm sorry, you  
24 broke up, can you repeat that.

25 MR. BREWINGTON: As a result

1  
2 of this incident.

3 MS. MEEHAN: No, the first  
4 half you broke up.

5 Q How many days of Workers  
6 Compensation did you receive as a result  
7 of this incident?

8 MS. MEEHAN: Objection to  
9 form. You can answer.

10 A I don't know.

11 Q Were you paid Workers  
12 Compensation benefits?

13 A I believe so.

14 Q Did you take any physical  
15 therapy for your sprained ankle, sir?

16 A Yes.

17 Q Where did you conduct the  
18 physical therapy?

19 MS. MEEHAN: Objection to  
20 form. You can answer.

21 A I did it in Amityville. I  
22 don't remember the name of the place.

23 Q Can you just tell us the  
24 place in Amityville that you went to, was  
25 it a physical rehab center?



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2           A           It was physical therapy,  
3       occupational therapy, I did pretty much  
4       everything.

5           Q           How many sessions did you go  
6       to, sir?

7           A           I don't know offhand. I was  
8       there at least -- I did at least three  
9       month's worth.

10          Q           Did you do the three months  
11       while you were working or were you out  
12       for that entire time that you were doing  
13       the physical therapy?

14          A           I did it while I was -- when  
15       I came back while I was working.

16                   MR. BREWINGTON: We will just  
17       go to Mantovani 4 for  
18       identification. It's a form that's  
19       Bates-stamped 91. (Scrolling.)

20          Q           Do you recognize this form,  
21       sir?

22                   MR. BREWINGTON: Let me just  
23       go down to the bottom just so you  
24       can see it. It goes to 92 and it  
25       has a signature at the bottom.

114

(Scrolling.)

Q Do you recognize this  
two-page document?

A I recognize the second page.

Q That has your signature on  
it, correct?

A Yes, the one with my  
signature.

Q And the first page you don't  
recognize?

A No, I believe that is a  
supervisor report.

Q I just want to be clear with  
regard to this first page, this is not  
something that you filled out?

A I did not.

Q This indicates that your  
height and weight is five-foot six  
inches, 180 pounds, is that accurate?

A That is not accurate.

Q I didn't think so. What's  
your height?

A Five-foot nine.

Q On that date approximately

115

how much were you weighing?

A About 200 pounds.

Q Let's just go to the second page because you said that's the page that you do recognize, correct?

MR. BREWINGTON: (Scrolling.)

Q Is that right?

A Yes.

Q There is a narrative, did you write this narrative?

A I did.

Q Did anybody help you write this narrative on that day with regard to the police department?

A Yes, one of the PBA delegates.

Q You had a PBA delegate on February 7, 2017?

A Yes.

Q Why did you have a PBA delegate to fill out an injury form?

A Why did we have one, was that your question?

Q Yes, sir.

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A That's just how -- that's just a standard procedure when you get injured or whatever, the PBA is just there just to make sure that everything goes smoothly and that you fill everything out properly, you don't miss any boxes, they are just there to make sure it's done correctly.

Q You signed this document at the bottom, correct?

A Correct.

MR. BREWINGTON: Let's go to Mantovani 5 for identification.  
(Scrolling.)

Q Have you ever seen the felony complaint in this case?

A No, I have not.

Q Did you have anything to do with the drafting of the felony complaint?

A No.

Q Did you ever speak to Officer Beckwith about what should go into the felony complaint?

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A No.

Q Sir, as you sit here now, do you recall how many actual steps there were from the top of the porch to the bottom?

A Offhand I do not.

Q I just want to point out, do you see where Officer Beckwith writes on the Besedin 276 page where he says, "Push Officer Mantovani down four steps on the exterior of his home" and the next page says, "As result of stumbling down four steps." Were there four steps leading to the porch, does that help refresh your recollection?

A That sounds accurate.

Q Were you aware that Mr. Besedin was being charged with assaulting you?

MS. MEEHAN: Objection to form. At what time?

MR. BREWINGTON: On February 7, 2017.

A At first I was not. The only

118

1  
2 thing that when I went to the hospital  
3 they just told me to call them with the  
4 results with what I was diagnosed with.

5 Q Sir, did you come to learn  
6 that Mr. Besedin was 71 years old?

7 A I did not know his age until,  
8 I guess, the news.

9 Q Sir, when was the first time,  
10 if at all, that you actually saw the  
11 felony complaint in this case, if you  
12 did?

13 A I didn't. I didn't see it  
14 until I went over it with Counsel.

15 Q Just so I'm clear, prior to  
16 today, you had gone over it but you had  
17 actually not seen it at any time prior to  
18 your preparation for the deposition, is  
19 that accurate?

20 A That's accurate.

21 MR. BREWINGTON: Just so we  
22 are clear, the second page is  
23 Besedin 277.

24 Let's look at Mantovani 6.

25 (Scrolling.)

119

Q Ever seen the district court information alleging resisting arrest in this case on or about February 7, 2017?

A No.

Q When for the first time, if at all, did you learn or see a copy of this?

A Just with preparing with Counsel.

Q For the deposition?

A Yes.

Q So in your discussions with the DA's office and Internal Affairs, you were not shown a copy of the information that charges Mr. Besedin with resisting arrest?

A No, I did not see these documents.

MR. BREWINGTON: Let's go to the next one. Mantovani 7.

(Scrolling.)

Q This is alleging harassment in the second degree, would it be accurate to say you didn't see this

120

either, Bates stamp number Besedin 279?

A I did not see this one.

Q Would it be accurate to say that the time that Mr. Besedin was allegedly slapping Officer Beckwith's forearm or hand or whatever it was, that Officer Beckwith was asking him to go back into the house?

A Could you just repeat the question again?

Q Sure. At the time that Mr. Besedin allegedly slapped Officer Beckwith's forearm or hand and I said whichever it was, that Mr. Besedin was being asked to go back into his house, correct?

A Correct.

Q And he was lawfully on his porch, is that correct?

A Correct.

Q Did you or Officer Beckwith, as far as you know as a trained officer having worked in New York City and at that time in the First Precinct, have any



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right to tell Mr. Besedin to go back into  
his house?

MS. MEEHAN: Objection.

Calls for a legal conclusion. Over  
my objection you can answer the  
question if you can.

A We -- we understood that it  
was his house and again for our safety  
and his, just given his heightened  
condition, you know, he was very  
emotional, irate, we had asked him to  
please go back inside and then we would  
leave.

Q I want to go back. With  
regard to your status as a police  
officer, you had no authority to actually  
tell him to go back into his house, did  
you?

MS. MEEHAN: Same objection.

Over my objection you can answer if  
you can.

THE WITNESS: I don't know  
how to answer that.

Q Excuse me, sir?

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A I just said I'm not really  
sure how to answer that.

Q I'll see if I can break it  
down.

Mr. Besedin was irate, you  
said, correct?

A Correct.

Q He was cursing, correct?

A Correct.

Q He had been drinking,  
correct?

A Correct.

Q And he was on his porch,  
correct?

A Correct.

Q His ability to curse is a  
right that he has, correct?

A Correct.

Q His ability to holler and  
scream on his own property is his right,  
correct?

A Correct.

Q And his right to drink at  
home on his own property is his right,

123

correct?

A Correct.

Q What authority did you have as a police officer to instruct Mr. Besedin or Officer Beckwith to go back into his house?

MS. MEEHAN: Objection to form. You can answer.

Q If any.

A Again we weren't -- it's not like we were giving him an order, we were just making a suggestion, I wouldn't say we were telling him, like, forcing him, we were just suggesting -- suggesting that, so I guess, legally, you know, there was no right, he could have stood there but for our sake and our purposes of trying to resolve this we were making a suggestion for him to go inside.

MR. BREWINGTON: Let's take a look at Mantovani 8 for identification, a case summary report.

(Scrolling.)

Q Ever review the case summary

124

report in this case?

A No.

Q This is Bates stamp number  
looks like the DA's 47, ever seen this  
document?

A No.

MR. BREWINGTON: Let's go to  
Mantovani 9 for identification.

(Scrolling.)

Looks like Bates stamp number  
I think it's 65 -- it's either 65  
or 05.

MS. MEEHAN: It looks like a  
six, I think it's 65.

MR. BREWINGTON: Yes, hard to  
tell.

Q This is arrest narrative,  
ever seen this document before, sir?

A No.

Q Have anything to do with its  
drafting?

A No.

Q I just want to ask you to  
take a look at this section that's right

125

1 here (indicating). Do you see where it  
2 says, "The Defendant continued onto the  
3 deck yelling as the officers backed up.  
4 Police Officer Beckwith then pointed at  
5 the door and told the Defendant to stop  
6 and go back inside." Is that what  
7 happened?  
8

9 Sir, do you have my question?

10 A Yes, I was just reading --

11 Q I'm on one sentence right  
12 now.

13 MS. MEEHAN: Just focus on  
14 this, the part that's highlighted.

15 THE WITNESS: The part that's  
16 highlighted.

17 Q Do you want me to do it  
18 again?

19 MS. MEEHAN: It's still  
20 highlighted on the screen.

21 Q Do you see where it says,  
22 "Police Officer Beckwith then pointed at  
23 the door and told the Defendant to stop  
24 and go back inside." Do you see that?

25 A Yes, I see that.

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Q My question is that what happened?

A He pointed -- he pointed, you know, at the door and I would say, yes, he did say, you know, if you go back inside we're going to leave.

Q This doesn't say if you go back inside we're going to leave. This says, "Told the Defendant to stop and go back inside." Is that what happened?

A Yes.

MR. BREWINGTON: Let's go to Mantovani 10 for identification.  
(Scrolling.)

Q Sir, during your conversations with the DA's office, were you aware that they were taking notes?

A I was not aware, no.

Q Have you ever seen their notes?

A No.

Q Going to April of 2017, did you ever receive a call from an ADA concerning this case in or about that

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time?

A I don't recall.

Q Were you aware that  
Mr. Besedin was diagnosed with  
postconcussion syndrome?

A No.

Q Were you aware that  
Mr. Besedin was a veteran?

A No.

Q Mr. Besedin, did he hit his  
head when he went down the steps or do  
you know?

A I did not see him hit his  
head, no.

Q Well, there is a difference,  
my question is do you know or he did not  
hit his head?

A I don't recall definitively.

Q Sir, do you remember an ADA  
by the name of Schwartz, meeting with an  
ADA?

A It sounds familiar, but I  
don't recall.

Q Do you know the name Steven

128

Schwartz?

A Again it sounds familiar but I can't tell you definitively.

Q Do you recall meeting with him and an ADA by the name of Dan Looney in or about September of 2017?

A I remember Looney, yes.

Q Do you recall what your conversation was with Mr. Looney when you met with him?

A I do not.

Q Were you aware that, "Police Officer Beckwith" according to this, "wants the felony but thinks the misdemeanor is a better bet." Were you aware that that was Officer Beckwith's conversation with the DA?

A I was not aware of that at the time.

Q Did you ever tell an ADA to have whatever charge will stick with Mr. Besedin?

A I don't recall.

MS. MEEHAN: Objection to



1  
2 form.

3 Q Do you recall having a  
4 conversation about what you wanted to  
5 happen with regard to Mr. Besedin's case?

6 A I remember having a  
7 conversation about that, yes.

8 Q What did you say?

9 A I had told them to proceed  
10 with the felony.

11 Q So you wanted Mr. Besedin to  
12 be convicted of a felony, correct?

13 A Correct.

14 Q In January of 2018, do you  
15 recall having a conversation with an ADA  
16 Dan Looney?

17 A Not entirely, no. I know I  
18 spoke to Mr. Looney, but I don't recall  
19 the exact date and what was said.

20 Q Do you recall being advised  
21 by someone from the DA's office that they  
22 were moving to dismiss the case after  
23 their review and you telling them okay?

24 A I remember them telling me  
25 that they were dismissing the case, but I

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never said that I was okay with it.

Q Because you weren't, were you?

A No.

Q Sir, when you weren't okay with the dismissal that's because you wanted Mr. Besedin to be prosecuted, is that right?

A Correct.

MR. BREWINGTON: Mantovani 11 for identification. (Scrolling.)

Q Have you ever seen this document from ADA and I'm going to spell it for the court reporter, N-A-D-E-A-U, Nadeau, ever seen that?

A No.

MR. BREWINGTON: It's NC 25 is the Bates stamp number and I believe the second page is 26, but there is really nothing on the second page and then the third page appears to be a repeat if I'm correct. But it goes up to Bates stamp number NC 028. (Scrolling.)

131

1  
2 Q Sir, we will just go to the  
3 first page which is NC 25. I'm going to  
4 read this section to you, it says, this  
5 is instructions for today's court  
6 appearance of January 29, 2018 in Part 9.  
7 Sir, do you know where Part 9 is in  
8 Nassau County?

9 A No.

10 Q It says, "Per Steve Schwartz,  
11 dismiss CPL 170.30 (1)(f) the people have  
12 made a determination to the acts of the  
13 Defendant on the date of incident to not  
14 constitute harassment and therefore  
15 must -- I'm just reading it as it is --  
16 "and therefore must dismiss all charges  
17 as the remaining charges of resisting  
18 arrest and assaulting an officer flow  
19 from the harassment charge." Anybody  
20 ever tell you that?

21 A No.

22 MR. BREWINGTON: Just going  
23 down to the third page.  
24 (Scrolling.)

25 Q In January of 2018 do you

1  
2 know if there was still an Internal  
3 Affairs investigation going on?

4 A No.

5 Q Do you recall what date it  
6 was that you gave your statement, your  
7 written statement to Internal Affairs?

8 A I don't recall.

9 Q Let me just take a look at  
10 that I think it's May of 2018.

11 MR. BREWINGTON: (Scrolling.)

12 Q Does that help refresh your  
13 recollection?

14 A Yes.

15 Q So May 15th you gave your  
16 statement, the written statement to  
17 Internal Affairs, was that the same day  
18 you were interviewed by them?

19 A Yes.

20 Q So at the time of the  
21 dismissal we're going back now to  
22 Mantovani 11.

23 MR. BREWINGTON: (Scrolling.)

24 Q At the time of the dismissal  
25 in and January of 2018 your Internal

Affairs investigation was still ongoing,  
is that correct?

A That's correct.

Q So at the time your Internal  
Affairs interview took place were you  
aware that the case had been dismissed?

A At the time of my Internal  
Affairs investigation --

Q Interview, yes.

A I'm sorry, you asked if I was  
aware at that point that the case was  
dismissed, correct?

Q Yes, sir.

A Yes, by that point, yes.

MR. BREWINGTON: Let's look  
at Mantovani 12 for identification.  
(Scrolling.)

Q Ever seen any of the tickets  
that were issued by Officer LaSala to  
Mr. Besedin?

A No.

Q Were you aware that he got a  
ticket for no front license plate?

A I was not aware, no.

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Q Harrison Avenue, people park  
in front of their homes on that street?

A Yes.

Q You've traversed that street  
going to and from the precinct on prior  
occasions, haven't you?

A Yes.

Q As a matter of fact, the  
precinct is located on what corner?

A Harrison and Merrick Road.

Q So in order to get to the  
precinct coming from Baldwin Harbor,  
there is a route that you can take to  
come down Harrison, isn't there?

A There is, yes.

Q Had you been up and down  
Harrison times prior to February 7, 2017?

A Not to my recollection, no.

Q You hadn't?

A No.

Q Have you been up and down  
that block since then?

A Yes.

Q People park on the street

135

overnight in front of their homes,  
correct?

A Correct.

Q As far as you know, any  
restrictions on parking on Harrison?

A As far as restrictions go I'm  
not entirely sure, no.

Q Sir, this is the second  
ticket that I'm looking at.

MR. BREWINGTON: I don't know  
if it has a Bates stamp number, it  
doesn't --

MS. MEEHAN: It does.

MR. BREWINGTON: It does?  
Hold on. Am I missing it? Oh,  
there it is, NC 119.

Q Looking at that, have you  
ever seen this document before?

A No.

Q Sir, have you ever seen  
Mr. Besedin's truck that he owned?

A No.

Q You've never seen this one  
which is Bates stamp number NC 120,

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improperly parked ticket?

MR. BREWINGTON: (Scrolling.)

A No.

MR. BREWINGTON: Let's take a  
look at Mantovani 13. (Scrolling.)

Q Sir, I'm showing you a  
picture of this truck, do you know if  
this is Mr. Besedin's truck?

A I do not know.

MR. BREWINGTON: That's  
Besedin 344.

Q So would it be accurate to  
say you don't recognize the front of this  
vehicle either, is that right?

MR. BREWINGTON: (Scrolling.)

A I do not recognize it, no.

Q Do you see where it appears  
to have a hydraulic hitch on the front?

A What was the question? I'm  
sorry.

Q Do you see where it appears  
to have a hydraulic hitch on the front?

A Yes.

Q Do you know what that was for



1  
2 that hydraulic hitch?

3 A No.

4 MR. BREWINGTON: (Scrolling.)

5 Q I'm looking at Besedin 346,  
6 that's a closer view of the grille of  
7 that truck but you've never seen this  
8 prior to this case or us talking about it  
9 here today, is that correct?

10 A Yes, I haven't seen this  
11 before, no.

12 MR. BREWINGTON: (Scrolling.)

13 Q Sir, do you recognize the  
14 house that's depicted in the background  
15 of this picture with the two cars in  
16 front of it?

17 A Yes.

18 Q Is that Mr. Besedin's home?

19 A Yes.

20 Q These cars that are parked  
21 here, the truck and what appears to be  
22 the car or the van right behind it, as  
23 far as you know, in that area where  
24 Mr. Besedin's house was, were those cars  
25 parked legally?

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MS. MEEHAN: Did you hear  
that? It was little --

THE WITNESS: He kind of  
broke up.

Q These cars that are parked  
here that are shown in this photograph  
that are Bates stamped Number 347, are  
they parked legally, from what you can  
see?

A Yeah, from what I can see I  
don't see anything, you know...

MR. BREWINGTON: Going to  
348. (Scrolling.)

Q Appears as though the van and  
the truck are parked legally along the  
sidewalk?

A Yeah, it appears so.

MR. BREWINGTON: I'm going to  
skip 349 and go to Mantovani 14.  
(Scrolling.)

Q Sir, do you recognize what's  
depicted in Bates stamp Number 332?

A Yes.

Q What do you recognize that to

139

1  
2 be?

3 A The front porch of  
4 Mr. Besedin's home.

5 Q Do you see where there's the  
6 porch and there appears to be a step  
7 that's there extending from the porch?

8 A Yes.

9 Q Then there are steps, based  
10 on your memory, steps that go down, is  
11 that correct?

12 A Correct.

13 Q Where with regard to this  
14 photograph, if you had to describe to me,  
15 would the front door be placed?

16 A Can you scroll up a little  
17 bit?

18 MR. BREWINGTON: (Scrolling.)

19 A I mean, I would say it would  
20 be towards the right middle of the screen  
21 directly in line with the staircase.

22 Q So if I put a line straight  
23 back it would be somewhere here  
24 (indicating) but not in the photograph,  
25 you can't see it, is that correct?

140

1  
2 A Correct.

3 MR. BREWINGTON: I put a blue  
4 line straight back from the middle  
5 of the steps going toward the  
6 house.

7 Q And that would be the  
8 direction toward the front door, is that  
9 right?

10 A Yes.

11 MR. BREWINGTON: Let's go to  
12 photograph and Bates stamp number  
13 Besedin 333. (Scrolling.)

14 Q Is that a more clear view of  
15 the front door in relation to the porch?

16 A Yes.

17 Q Based on your memory, is the  
18 front door pretty much centered with  
19 regard to how it lines up with the steps?

20 A Yes, it's pretty much  
21 centered.

22 Q So if you came out the front  
23 door and you traversed the front porch,  
24 then eventually you come to the steps, is  
25 that right?

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A Yes.

MR. BREWINGTON: Let's go to  
Bates stamp number, I'll skip this,  
which is 334 and let's go to 335.  
(Scrolling.)

Q Sir, this appears to be a  
view looking toward the front door from  
the front yard, is that correct?

A Yes.

Q You can see steps going up to  
the porch, correct?

A Correct.

Q And then the front door, is  
that right?

A Yes.

Q From the ground, if you can  
remember, from the ground to the top of  
the stairs where you would end up on the  
porch, what's the distance?

A The distance from you're  
saying the bottom -- the bottom of, like,  
where the walkway starts to the top of  
the porch?

Q Yes, sir.

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1  
2 A Approximately -- it's hard to  
3 tell from this picture, I would say...

4 MS. MEEHAN: Don't guess.

5 A Yeah, it's hard to determine  
6 from this picture.

7 Q Were the steps normal steps  
8 in terms of normal height as far as you  
9 recall?

10 A I don't really recall.

11 MR. BREWINGTON: Let's go to  
12 Besedin 336. (Scrolling.)

13 Q Do you recognize this as  
14 being a shot looking down the porch, down  
15 the steps?

16 A Yes.

17 Q So if the first edge which  
18 I'm going to draw a blue line right here  
19 (indicating), or put a box, is the edge  
20 of the porch, to get to the ground, would  
21 it be one, two, three and the fourth  
22 would be the ground going down, if you  
23 recall?

24 Sir?

25 A Yes, I'm thinking because I'm

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just unsure. So you're saying from the top step down?

Q Yes, sir.

A Yeah, that would be four steps.

MS. MEEHAN: With the fourth being the ground?

THE WITNESS: The fourth being the ground.

MR. BREWINGTON: Let's take a look at Mantovani 15. (Scrolling.)

Q It's not a very good picture, but did you ever see Mr. Besedin's elbow after he was taken into custody?

A No.

Q Did he have any noticeable injuries, to you, when he was taken into custody?

A No.

Q Any cuts or bruises that you could tell?

A No, not that I could tell.

Q Did you ever exam him to make sure he did or didn't?

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A Did we examine him?

Q Yes.

MS. MEEHAN: Did you?

Q Did you?

A I mean, we looked him over  
but we did not -- I did not see anything.

Q This injury to his elbow, do  
you know how this occurred?

A I do not.

MR. BREWINGTON: Another  
picture of his elbow which is  
Besedin 338. (Scrolling.)

Q That's the same elbow, so you  
don't know how that occurred, is that  
correct?

A That's correct.

MR. BREWINGTON: (Scrolling.)

Q With regard to Mr. Besedin's  
middle of his back and then lower back  
right by the crease of his buttocks, do  
you know how those injuries happened?

A I do not.

Q Do you recognize those as  
being on his body at the time that you



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1 had him in custody on February 7, 2017?

2 A I did not.

3 Q Mr. Besedin complained about  
4 injury to his back on that night to you,  
5 didn't he?  
6

7 A I don't recall him saying  
8 that, no.

9 MR. BREWINGTON: (Scrolling.)

10 Q Showing again 340, injuries  
11 to the left side middle of his back and  
12 lower back, are those the same injuries,  
13 you don't know how he got those, correct?

14 A Correct.

15 MR. BREWINGTON: (Scrolling.)

16 Q His wrists, you see any  
17 injuries to his wrist from handcuffs?

18 A I did not see any, no.

19 Q Do you see any injuries to  
20 his wrists at all?

21 A No.

22 MR. BREWINGTON: Bates stamp  
23 Number 341 and 342. (Scrolling.)

24 Q Those are not things that you  
25 noticed with regard to his wrists,

146

correct?

A Correct.

MR. BREWINGTON: (Scrolling.)

Q Sir, I ask you to take a look at what appears to be the other side of his back or another portion of his back, the lower portion of his back at Besedin 343, do you know how that scar or scratch got there?

A I did not.

MR. BREWINGTON: We looked at this document already, this we'll skip over Mantovani 16 and go to 17.

That's Beckwith's statement.

Let's go to Mantovani 18. (Scrolling.)

Q Sir, were you aware that there had been an evaluation, a citizens complaint concerning yourself and Officer Beckwith relating to Mr. Besedin?

A No.

Q Did you ever get the response to the Internal Affairs report concerning the investigation where you were accused

1  
2 in this case?

3 MS. MEEHAN: Objection to  
4 form.

5 A I received an indemnification  
6 letter.

7 Q Other than an indemnification  
8 letter did you ever receive anything from  
9 Internal Affairs saying that the charges  
10 against you were unfounded or  
11 unsubstantiated or you were exonerated?

12 A Not that I recall.

13 Q So you haven't seen any part  
14 of the Internal Affairs report, the  
15 numbers that we are looking at here, the  
16 pages or any of the documents that were  
17 part of their Internal Affairs report,  
18 you never actually saw all of those, did  
19 you?

20 A No.

21 Q And you never saw the actual  
22 report itself, correct?

23 A No.

24 Q Is that correct?

25 MS. MEEHAN: You did not, is

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that correct?

A I'm sorry, I did not see the report, that is correct.

MR. BREWINGTON: (Scrolling.)

Q Sir, have you ever seen the federal complaint in this case?

A Yes.

Q When did you see that?

A I don't recall exactly when, but it was in my work, like, folder at the precinct.

Q Did you read it?

A Parts of it.

Q How much of it did you read?

A As much as I could understand and I didn't read it front to back. I just read that, I guess, I was being sued and then I went to my delegates and then the Counsel.

Q Have you ever actually gone through this document paragraph by paragraph?

A No.

Q I'm just going to ask you to

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1  
2 take a look at Paragraph 26 where it says  
3 "Plaintiff was forcefully and brutally  
4 slammed and thrown to the ground,  
5 manhandled, kneed, cut, bruised as he was  
6 beaten by the aforementioned Defendant  
7 officer to the point that he suffered  
8 scars to his head, back, elbows, wrists  
9 and legs." Sir, were you aware that  
10 Mr. Besedin had scars to his head?

11 A No.

12 Q And to the other parts of the  
13 body that are referenced here, you  
14 weren't aware of those either, is that  
15 correct?

16 A That's correct.

17 Q Then where it says he was,  
18 "Slammed down against the steps causing  
19 his back and buttock to violently collide  
20 with the edge and angle of the steps," do  
21 you remember me asking you about you  
22 saying that you placed him down or asked  
23 him to sit down again?

24 A Yes, I remember that.

25 Q You're saying you didn't slam

150

him down, correct?

A Correct, I did not slam him  
down.

MR. BREWINGTON: So let's  
come out of this document. (Screen  
sharing stopped.)

MS. MEEHAN: Before we move  
on can we just go off for a second?

MR. BREWINGTON: Sure.

(Discussion off the record.)

(A short recess was taken.)

MR. BREWINGTON: I have no  
further questions for this witness.

MS. MEEHAN: I have a  
clarification before we closeout  
the record.

\* \* \*

EXAMINATION BY

MS. MEEHAN:

Q Officer Mantovani, earlier  
Counsel asked you if you threw or  
propelled Mr. Besedin down the stairs and  
your answer was yes. What did you mean  
by that?

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1  
2           A           I meant my initial momentum  
3 combined with his is what led us down the  
4 stairs. I didn't intentionally throw him  
5 down.

6                   MS. MEEHAN: I have no  
7 further questions, thank you.

8                   MR. BREWINGTON: Now that you  
9 asked that question I may have  
10 questions now.

11                   MS. MEEHAN: That's fair.

12                           \*                           \*                           \*

13 CONTINUED EXAMINATION BY

14 MR. BREWINGTON:

15           Q           Sir, with regard to  
16 Mr. Besedin, who is the taller of the two  
17 men, you or he?

18           A           Honestly I don't really  
19 remember how tall he was.

20           Q           With regard to the 20 or so  
21 times that you viewed this video, anybody  
22 ever ask you if you threw him down the  
23 steps?

24                   MS. MEEHAN: Exclusive of  
25 conversations with Counsel?

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MR. BREWINGTON: Yes.

Q I'm talking about from the DA  
or Internal Affairs.

A I never discussed this  
outside of Counsel or with anyone,  
they -- people friends and family, like,  
when it was on the news they asked me if  
I had seen it, but I had left it like  
that. I didn't go into any discussion  
with them about it.

Q Not my question. My question  
was with the DA or Internal Affairs,  
anybody ever ask you if you threw  
Mr. Besedin down the steps?

A No.

MR. BREWINGTON: No further  
questions.

MS. MEEHAN: Okay.

(Time noted: 1:38 P.M.)





1		154
2	-----I N D E X-----	
3	<u>WITNESS</u>	<u>EXAMINATION BY</u> <u>PAGE</u>
4	DOMINICK	MR. BREWINGTON 4
5	MANTOVANI	MS. MEEHAN 150
6		MR. BREWINGTON 151
7		
8	DIRECTIONS: None	
9	RULINGS: None	
10	MOTIONS: None	
11	-----DOCUMENT REQUEST-----	
12	<u>PAGE</u>	
13	33	Any rule, regulation, procedure or policy
14		that addresses the departmental
15		allowances for wearing bands on badges by
		police officers that have a blue line on
		them
16	47	Memo book from February 7th of 2017
17		
18	-----INFORMATION TO BE FURNISHED-----	
19	<u>PAGE</u>	
20	None	
21		
22	-----EXHIBITS-----	
23	<u>MANTOVANI FOR I.D.</u>	<u>PAGE</u>
24	1	Bates Number 040-041 4
25	Continued...	

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3	Bates Number 088-090	4
4	Bates Number 091-092	4
5	Besedin 0276-0277	4
6	Besedin 0278	4
7	Besedin 0279	4
8	Besedin 047	4
9	Besedin 065	4
10	Nassau County 021-024	4
11	Nassau County 025-028	4
12	Nassau County 118-120	4
13	Besedin 0344-0346	4
14	Besedin 0332-0336	4
15	Besedin 0337-0343	4
16	Besedin 0093-0094	4
17	Besedin 0038	4
18	Officer History & Internal Affairs (26 Pages)	4
19	Complaint	4

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C E R T I F I C A T E

STATE OF NEW YORK )

) ss.:

COUNTY OF SUFFOLK )

I, NANCY DIONISIO, a Notary  
Public within and for the State of  
New York, do hereby certify:

That DOMINICK MANTOVANI, the  
witness whose deposition is  
hereinbefore set forth, was duly  
sworn by me and that such  
deposition is a true record of the  
testimony given by such witness.

I further certify that I am not  
related to any of the parties to this  
action by blood or marriage; and that I  
am in no way interested in the outcome  
of this matter.

IN WITNESS WHEREOF, I have  
hereunto set my hand this 17th day  
of June, 2022.

-----  
NANCY DIONISIO

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